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Report of the Working Group on the Universal Periodic Review*

Tajikistan

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fifth session from 2 to 13 May 2016. The review of Tajikistan was held at the 9th meeting on 6 May 2016. The delegation of Tajikistan was headed by the Minister of Justice of Tajikistan, Rustam Shohmurod. At its 17th meeting, held on 11 May 2016, the Working Group adopted the report on Tajikistan.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Tajikistan: Algeria, Germany and Saudi Arabia.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Tajikistan:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/25/TJK/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/25/TJK/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/25/TJK/3).

4. A list of questions prepared in advance by Belgium, Chile, the Czech Republic, Germany, Liechtenstein, Mexico, Norway, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to Tajikistan through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. Tajikistan considered the universal periodic review to be an important mechanism for international oversight over Member States' fulfilment of their international human rights obligations and for assessing positive developments and challenges in a given country. Since gaining its independence, Tajikistan had been committed to building a democratic society based on human rights values. That commitment was reflected in the second chapter of the Constitution, which guaranteed human rights and fundamental freedoms in line with the core international human rights instruments.

6. During the reporting period, Tajikistan had submitted periodic reports to six treaty bodies and had received visits from the Special Rapporteur on disability of the Commission for Social Development, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on the human right to safe drinking water and sanitation. The Government had thoroughly reviewed all the recommendations issued by those human rights mechanisms, in close cooperation with representatives of civil society. Various national action plans had been developed for their implementation.

7. The main priorities of the Government in the area of economic and social development remained ensuring social and political stability, economic prosperity and the social well-being of the people. The poverty reduction strategy for 2010-2013 and the strategy to improve the well-being of the population for 2013-2015 had been implemented within the framework of the national development strategy for the period up to 2015. Subsequently, a decline in the poverty rate had been observed. The drafting of a new national development strategy, covering the period up to 2030, had begun.

8. The United Nations Development Assistance Framework for the period 2016-2020 had been approved by the Government and the United Nations, in order to help Tajikistan face its development challenges. The Framework covered the following main areas: democratic governance, the rule of law and human rights, sustainable and equitable economic development, social development, inclusion and empowerment and resilience and environmental sustainability.

9. The 2013-2015 national plan to implement the recommendations made by United Nations Member States in connection with the first review of Tajikistan had been approved pursuant to a presidential decision adopted in April 2013. The national plan had been developed in cooperation with civil society and international organizations. Several measures to bring legislation and practice into conformity with the State's international human rights commitments had been taken in the framework of the plan.

10. Tajikistan had been implementing a policy of zero tolerance with respect to torture. The definition of torture in the Criminal Code had been brought into line with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Several other legal and policy measures had been taken to implement the recommendations from the first review to combat torture. The law on the suspension of the death penalty had come into force and a moratorium on the death penalty had been imposed. Amendments to the Criminal Code had introduced a maximum limit of 20 years for prison sentences. The transition to the abolition of the death penalty would take place gradually and would involve addressing issues of an administrative, financial and legal nature.

11. The Constitution guaranteed the independence of the judiciary. The 2015-2017 judicial reform programme, which constituted the third stage of reforms, aimed to strengthen the judiciary and increase the role of courts in protecting human rights and freedoms and the interest of the State and in ensuring the rule of law and access to justice. As part of the judicial reform process, an adversarial system had been introduced.

12. Tajikistan had adopted a new law on advocacy and the Bar, which regulated the mandate, rights and responsibilities of lawyers, the issuance of licences to practice law, the entry to the legal profession and disbarment. The law established a qualification commission under the auspices of the Ministry of Justice, consisting of nine members from various bodies, including the Bar. The Government had adopted a concept document on legal aid in close cooperation with the United Nations Development Programme. A new law on legal aid was to be adopted on the basis of the outcome of the project to pilot the new legal aid model.

13. Amendments to the law on the Commissioner for Human Rights had been adopted in March 2016 to ensure the independence and improve the effectiveness of the work of the Commissioner. The new amendments provided for the involvement of the Commissioner in the process of ratifying new human rights treaties. In addition to visiting penitentiary institutions, the Commissioner had been granted a broad mandate to visit all places where people were deprived of their liberty. Moreover, the amendments to the law had introduced a new section on the establishment of an ombudsman on the rights of the child.

14. The Constitution guaranteed the freedom of expression and of the mass media and prohibited State censorship. In 2012, the articles on defamation and insult had been removed from the Criminal Code, and liability had been established for those acts under the Civil Code. The 2013 law on mass media simplified the procedure for registering media outlets. The delegation reported on the number of private and public print and electronic media and radio stations operating in the country. The law provided for certain restrictions on the freedom of the press, which were in conformity with international human rights standards.

15. The law on the prevention of domestic violence had been adopted in 2013. It envisaged the provision of assistance to victims of domestic violence. There were 18 crisis centres operating the county. The post of inspector to combat domestic violence had been created within the Ministry of Internal Affairs. The Government had also adopted a domestic violence prevention programme for 2014-2023. In 2014, Tajikistan had ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

16. The 2010-2015 national action plan for juvenile justice reform had been implemented, and new plan was being developed for 2017-2021. A juvenile justice department had been established within the Ministry of Justice in order to implement recommendations from the first universal periodic review to protect the rights and interests of juveniles.

17. The Constitution guaranteed everyone the right to freely choose and manifest his or her religion or belief. Over four thousand religious organizations existed in Tajikistan. The Constitution gave every citizen the right to freedom of association. Over two thousand public associations were registered. The law on public associations had been amended to ensure transparency in the financing of public associations. The amended law required public associations to report on funding received from foreign sources. The reporting had a declaratory nature and did not entail any restrictions on funding from foreign sources.

18. The delegation reported on measures taken to combat trafficking in persons and corruption. A comprehensive programme to combat trafficking in persons for 2014-2016 had been implemented. The act on combating trafficking in persons and providing assistance to victims had been adopted in 2014. An anti-corruption law and strategy had been adopted and an anti-corruption advisory council had been established.

19. Tajikistan was committed to guaranteeing international and regional security, including by combating terrorism, extremism, illicit traffic in narcotics and organized and economic crime. In that respect, Tajikistan had acceded to several international and regional instruments and adopted a number of laws. In September 2015, Tajikistan had witnessed an act of terrorism and extremism that had been orchestrated by the former deputy Minister of Defence, with the financial support of the Islamic Renaissance Party of Tajikistan, and that had claimed dozens of lives. The Supreme Court had declared that party to be a terrorist and extremist organization and had suspended its activity. The suspension had been carried out in accordance with international instruments on combating terrorism and extremism.

B. Interactive dialogue and responses by the State under review

20. During the interactive dialogue, 71 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

21. India encouraged Tajikistan to consider issuing a standing invitation to special procedure mandate holders, to combat stereotypes relating to the role of women, to reduce

the gender pay gap and to address the issue of domestic violence. It enquired about the reform of the committee for women and family affairs.

22. Indonesia praised the development of various national action plans to implement the recommendations of the United Nations human rights mechanisms. It noted the adoption of the act on combating trafficking in persons and providing assistance to victims and the national inclusive education policy for children with special needs.

23. The Islamic Republic of Iran noted with satisfaction the steps taken by Tajikistan to establish an office on the rights of children and to transform the office on human rights guarantees into a department under the auspices of the Executive Office of the President.

24. Iraq commended Tajikistan on the measures taken to protect women and children from violence and its efforts to implement a development programme.

25. Italy commended the measures taken by Tajikistan to prevent the use of torture. It welcomed the implementation of awareness-raising campaigns on the abolition of the death penalty and the adoption of a law and a programme on preventing domestic violence.

26. Japan commended Tajikistan for accepting visits by several special rapporteurs. Japan was concerned about restrictions imposed on access to websites and social networks. It was also concerned at reports that insufficient measures had been taken to promote the rights of persons with disabilities.

27. Kazakhstan noted the active engagement of Tajikistan with the United Nations human rights mechanisms. It noted with appreciation the adoption of a number of laws that aimed to bring the national legislation into line with international human rights standards.

28. Kuwait noted that the Government had adopted various human rights action plans, implemented legislative and judicial reforms and taken steps to prevent human trafficking. Kuwait noted with appreciation the efforts of Tajikistan to promote the rights of the child and commended the improvements made to the penitentiary system.

29. Kyrgyzstan noted with appreciation the efforts of Tajikistan to strengthen the legal and institutional framework for the protection of human rights, expand the mandate of the Commissioner for Human Rights and continue its active cooperation with the United Nations human rights mechanisms.

30. The Lao People's Democratic Republic noted with appreciation the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Prevention and Punishment of the Crime of Genocide. It welcomed efforts to implement the recommendations from the universal periodic review and the treaty bodies.

31. Latvia noted the concerns expressed by various treaty bodies regarding the limited representation of women in decision-making positions. It also noted the concerns expressed by the Human Rights Committee about undue restrictions on freedom of expression and inquired about measures taken by Tajikistan to address those concerns.

32. Lithuania commended Tajikistan for its cooperation with OHCHR. It welcomed the moratorium on the death penalty and the adoption of a law on domestic violence and its related programme for 2014-2023.

33. Malaysia noted the steps taken to improve the independence of the justice system through judicial reform, to combat trafficking in persons and to provide human rights education and training for the public and for State officials.

34. Maldives welcomed the establishment of an office on the rights of the child within the Executive Office of the President and the adoption of the human rights education

programme and the inclusive education policy. It urged Tajikistan to guarantee an adequate standard of living and address the needs of the poor and the marginalized.

35. Mexico noted with appreciation the cooperation of Tajikistan with the special procedure mandate holders and the adoption of various national action plans to implement the State's human rights obligations.

36. Morocco praised the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. It acknowledged the measures taken to protect migrant workers, to strengthen the judiciary and to combat trafficking in persons.

37. Nepal noted the moratorium on the application of the death penalty and the initiatives aimed at its complete abolition. Nepal referred to the intention of Tajikistan to ratify the Convention on the Rights of Persons with Disabilities and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. It noted the measures taken to empower women, promote gender equality and combat domestic violence.

38. The Netherlands was concerned that the freedom of the press was being undermined and that critical sources of information were inaccessible to citizens. While welcoming the withdrawal of mandatory HIV testing for foreigners, it noted that HIV prevalence had increased and that the stigmatization of and discrimination against sufferers remained major obstacles to an effective HIV/AIDS response.

39. The Niger praised the ratification of various international human rights treaties and the State's successful cooperation with international human rights mechanisms. It commended the various national action plans adopted to implement the recommendations of the treaty bodies.

40. Norway noted with concern the crackdown on opposition parties and groups and the situation relating to women's rights, domestic violence and detainees. It noted that arrests of and allegations against lawyers indicated shortcomings within the judiciary.

41. Pakistan welcomed the measures taken by Tajikistan to incorporate international instruments into domestic law, particularly the Convention on the Elimination of All Forms of Discrimination against Women. It noted the efforts of Tajikistan to combat human trafficking and illicit traffic in narcotic drugs, to empower women, to protect the rights of children and persons with disabilities, to eradicate poverty and to maintain religious harmony.

42. Paraguay noted the adoption of a law and a programme on combating domestic violence. It asked about the measures taken by Tajikistan to promote the participation of women in public and political life.

43. The Philippines welcomed the 2013-2015 national plan to implement the recommendations of the first review. It appreciated the efforts of Tajikistan to involve inter-agency groups and civil society in preparing national plans to promote the rights of migrant workers, prevent torture and eliminate racial discrimination. The Philippines urged Tajikistan to continue to address the issue of access to quality health and educational services for all.

44. Poland commended Tajikistan for ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. It remained concerned about the deteriorating situation with regard to human rights and respect for fundamental freedoms.

45. Portugal welcomed the State's ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Portugal

also welcomed the moratorium on the death penalty introduced in 2004 and the establishment of a national human rights institution.

46. The Republic of Korea noted the progress made by the State, since its review, in areas such as preventing torture and domestic violence, combating human trafficking, eradicating child labour and reducing poverty.

47. The Russian Federation noted with appreciation visits to the country by the Special Rapporteur on the right to health, the Special Rapporteur on the rights of persons with disabilities, the Special Rapporteur on the human right to safe drinking water and sanitation and the Special Rapporteur on torture, as well as the submission of periodic reports to several treaty bodies. It welcomed the implementation of various programmes aimed at strengthening the democratization processes and protecting the rights and freedoms of citizens.

48. Senegal praised the efforts made by Tajikistan to implement the recommendations from its first review. It referred to the development of various national action plans and the cooperation of the Government with the special procedure mandate holders as positive steps towards strengthening the human rights system.

49. Sierra Leone commended the adoption of programmes and laws in the area of human rights and the moratorium on the death penalty. It urged Tajikistan to promote measures to combat deep-rooted stereotypes and gender segregation and to enforce the legal minimum age of marriage by ending the practice of underage religious marriages without civil marriage certificates.

50. Singapore welcomed the efforts of Tajikistan to provide equal opportunities to women and to promote tolerance by promoting inter-faith dialogue.

51. Slovakia stated that, despite the efforts of Tajikistan, the problems of torture and enforced disappearance persisted. Noting certain restrictions on the media, it encouraged the Government to respect the freedom of information and expression, including on the Internet.

52. Slovenia commended Tajikistan for the progress achieved since its review, including in fostering good governance and reducing poverty. It noted the State's cooperation with the United Nations human rights mechanisms. Slovenia expressed concern about cases of child marriage, widespread homophobia and discriminatory practices against lesbian, gay, bisexual, transgender and intersex persons.

53. Spain welcomed the adoption of the law on combating domestic violence and the moratorium on the death penalty.

54. The State of Palestine noted the various positive measures taken since the first review, including the adoption of a national action plan to implement the recommendations of the Committee on the Elimination of Discrimination against Women. It also noted the adoption of various national plans and strategies on human rights.

55. Sweden stated that domestic violence was not included as a crime under the Criminal Code. Noting the State's acceptance of the recommendations from its first review to prohibit the corporal punishment of children, Sweden stated that more could be done to ensure the effective enforcement of that prohibition. The use of torture reportedly remained widespread within the criminal justice system.

56. Switzerland noted that some of the recommendations accepted by Tajikistan from the first review had yet to be implemented. While acknowledging efforts to prevent torture, it noted that the use of torture remained widespread. It commended the adoption of the act on the prevention of domestic violence and its related programme.

57. Togo noted that an office on the rights of the child had been established within the Executive Office of the President and that Tajikistan had developed eight action plans on human rights and ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Prevention and Punishment of the Crime of Genocide.

58. Turkey welcomed the reform of the judiciary, which aimed to enhance the role of the courts in defending human rights, and the adoption of new laws on procedures and conditions of arrest and detention and on the rights of detainees. Turkey commended the adoption of various national actions plans However, it stressed that such plans would only succeed if they were implemented in an appropriate and timely manner.

59. Turkmenistan noted with appreciation that Tajikistan had taken a number of measures to further develop its legislative and institutional framework to promote and protect human rights.

60. Ukraine acknowledged the adoption, following broad consultations with civil society, of several national actions plans on human rights. It commended the launch of the website on the human rights situation in Tajikistan, initiated with the support of OHCHR.

61. The United Arab Emirates welcomed the adoption of: national action plans to follow up on recommendations made by human rights mechanisms; measures to improve prison conditions; a programme to combat trafficking in persons; and the act on the prevention of domestic violence and its related programme.

62. The United Kingdom encouraged Tajikistan to take action on key recommendations made by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and to ensure that the national development strategy included steps to promote the rights of citizens. It was concerned about restrictions on civil society organizations and on their funding, and called on Tajikistan to ensure that all legislation complied with international human rights standards.

63. The United States of America was concerned about: new legislation restricting the space for civil society; the increase in the number of politically motivated detentions and incarcerations of human rights defenders and opposition figures in the name of national security; and efforts to silence independent media.

64. Uruguay note with satisfaction the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Prevention and Punishment of the Crime of Genocide. It encouraged Tajikistan to continue to cooperate with civil society on implementing the recommendations of the United Nations human rights mechanisms.

65. The Bolivarian Republic of Venezuela noted the progress made by Tajikistan since its first review, including in reducing poverty, through the implementation of its national development strategies, and in promoting access to primary education.

66. Algeria welcomed the State's cooperation with the United Nations human rights mechanisms; its consultations with civil society on the implementation of recommendations; and the measures taken to combat torture and trafficking in human beings, to prevent domestic violence and to tackle child labour.

67. The delegation of Tajikistan stated that the President of Tajikistan had sent a clear message on zero tolerance of torture. Legal measures had been taken to apply heavier penalties for the use of torture and to ensure that detainees were informed of their rights at the start of the deprivation of their liberty and had immediate access to a lawyer of their choice. A monitoring group, comprising representatives of State bodies and non-governmental organizations had been established to prevent cases of torture. In 2014 and

2015, the group had monitored 19 places of deprivation or restriction of liberty and several military units. The office of the Public Prosecutor had been carrying out regular inspections of prisons. The above-mentioned measures had resulted in a reduction in complaints regarding the use of torture.

68. Tajikistan had taken measures to strengthen its legislative and institutional framework to combat terrorism. The Government was engaged in the Organization for Security and Cooperation in Europe programme on combating extremism and terrorism. Within the framework of that programme, the Government had developed a draft national strategy for the period 2016-2020, to prevent violent extremism and terrorism. The delegation emphasized that measures to tackle extremism and terrorism would be implemented in strict compliance with international human rights law.

69. Tajikistan had paid special attention to the promotion of the role of women in society and the prevention of domestic violence. The Government had implemented programmes that used mass media and awareness-raising campaigns to overcome stereotypes and patriarchal attitudes towards the role of women in society. Gender equality was integrated into development and socioeconomic strategies.

70. Although domestic legislation guaranteed gender equality, including in employment and education, a gender pay gap persisted. Women had been employed in low-paid jobs in areas such as education, health care and agriculture. The percentage of male employees had been greater in areas where wages were generally high. The Government had adopted a comprehensive programme to provide training and support to women to access well-paid jobs. Women had received microcredits. The number of microcredit recipients had been increasing each year. Women were represented in the civil service, local and regional government bodies and the national parliament.

71. The Government had been implementing programmes to increase the employment rate. Professional training and support was provided to women and young persons. The official unemployment rate had decreased over the previous five years. Women and persons with disabilities enjoyed stronger legal guarantees with regard to employment.

72. The Labour Code prohibited child labour. The Government had adopted a national programme to eliminate the worst forms of child labour. It had ratified the core United Nations conventions on migration issues, as well as bilateral agreements on labour migration. The Government had taken several measures to reintegrate into the labour market those migrant workers who had returned to Tajikistan.

73. Tajikistan had continued its reforms of the health system, which aimed to improve primary health care, based on a system of family doctors and the restructuring of hospitals. The Government had increased the budget funding for the health sector. The number of qualified medical personnel had increased. The maternal and infant mortality rates had decreased. The Government had been taking measures to prevent the spread of HIV/AIDS and had provided antiretroviral therapy. The prevalence of tuberculosis had decreased due to the efforts of the Government. Tajikistan had achieved polio-free status.

74. The delegation stated that only 58 per cent of the population had access to safe drinking water. The Government, with the assistance of the German development bank and the Asian Development Bank, had been investing in the water supply infrastructure to improve access to safe drinking water.

75. The delegation reported on measures taken to control the use of tobacco, improve the provision of services to persons with disabilities and provide social assistance to low-income families. The Government expressed its gratitude to all its partners, including the World Bank, the German development bank, the Government of Japan, the European Union, the United Nations Children's Emergency Fund (UNICEF), the United Nations

Population Fund, the Global Fund to Fight AIDS, Tuberculosis and Malaria and the United States Agency for International Development for providing financial support for projects in the field of social protection and health care.

76. Access to education had been a priority ever since Tajikistan had gained its independence. A number of laws and regulations had been adopted to ensure universal access to education. A plan of action had been developed to prevent children from becoming involved in begging and ensure that they returned to school. The Government provided financial allowances to enable children from orphanages and low-income families to attend school, in particular to pursue higher education. The school attendance rate remained high.

77. The Government had implemented a range of measures to increase the attendance of girls in secondary education. A special quota system had been implemented to ensure access to higher education for young persons from remote and mountainous areas.

78. The Government had introduced special courses into the school curricula that used, among other methods, computer technology to raise awareness on sexual and reproductive health.

79. Tajikistan provided guarantees to ensure that children from ethnic minorities have access to education in their own languages. A long-term plan had been developed to provide schools with teaching materials in minority languages. A concept document on inclusive education had been adopted and the law on education had been revised accordingly to include the principle of inclusive education.

80. Argentina welcomed the adoption of the programme for human rights education and encouraged Tajikistan to advance its measures to ensure religious tolerance and combat all forms of discrimination against members of religious minorities.

81. Armenia noted that the State had started the process of reforming the judiciary and penitentiaries, increased consultations with the non-governmental sector and provided training for law enforcement officers on combating torture. It welcomed the State's preparations to ratify further instruments.

82. Australia encouraged Tajikistan to enable the Ombudsman, namely the Commissioner for Human Rights, to operate as an independent institution with the resources necessary to fulfil his or her mandate in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). It commended the adoption of a definition of torture. Australia was concerned about restrictions on freedom of expression.

83. Austria welcomed improvements in the situation of juveniles in detention and the State's efforts to end child labour. It was concerned about the deterioration in the human rights situation over the previous year, in particular the Government's actions targeting the political opposition and the restrictions imposed on media freedom and freedom of expression.

84. Azerbaijan appreciated the efforts of Tajikistan to develop the legislative framework in the field of human rights and the strategies adopted in fields such as social protection, women, youth and health care. It commended the State's efforts to bring its national human rights institution into line with the Paris Principles.

85. Belarus noted with appreciation the State's commitment to developing its national human rights institutions and ensuring that they operated effectively. It commended Tajikistan for adopting a comprehensive approach to issues related to sustainable development and for measures taken to combat trafficking in persons.

86. Belgium commended Tajikistan for welcoming visits by special procedure mandate holders and expressed the hope that a standing invitation would be extended shortly. Belgium reminded Tajikistan of the recommendations it had accepted during the first review to ensure the independence of the body responsible for appointing judges.

87. Canada acknowledged the steps taken to promote gender equality and combat violence against women. It remained concerned about the decision taken by the Supreme Court to ban the Islamic Renaissance Party of Tajikistan, which restricted the right to freedom of expression, association and peaceful assembly.

88. Chad noted the State's cooperation with the United Nations human rights mechanisms on implementing their recommendations. It noted the legal and practical steps taken to improve the protection and promotion of human rights.

89. China noted the achievements of Tajikistan in the field of poverty reduction, inter alia, and its focus on gender equality. It further noted the 2013 act on the prevention of domestic violence. It called upon the international community to provide the necessary technical and financial assistance to support the development of Tajikistan.

90. Colombia highlighted the State's commitment to advancing the implementation of the recommendations from the first review, in particular the Government's strategy to promote the role of women and the act on the prevention of domestic violence.

91. Costa Rica noted the progress made, including measures to strengthen the role of the Ombudsman, and to combat torture. It was, however, concerned at reports of the persistence of torture and ill-treatment, the low level of representation of women in decision-making positions and the violence used in response to public protests.

92. Cuba highlighted the State's cooperation with international human rights mechanisms, its reform of the judiciary and penitentiaries and its adoption of the act on combating trafficking in persons and providing assistance to victims.

93. The Czech Republic expressed appreciation for the responses provided by Tajikistan to some of its questions and made recommendations.

94. Denmark expressed its hope that Tajikistan would accede to the Optional Protocol to the Convention against Torture, despite the fact that it had taken note of recommendations to ratify it during the first universal periodic review.

95. Egypt highlighted the adoption of the amendment to the law on the Commissioner for Human Rights, the adoption of national human rights action plans, the implementation of significant judicial reforms, the expansion of human rights education, the training provided to law enforcement officials and the enhancement of women's participation in public life.

96. France welcomed the delegation of Tajikistan and made recommendations.

97. Georgia noted the efforts of Tajikistan to prevent torture, enhance the role of women and protect the rights of children. Georgia welcomed the State's cooperation with the United Nations human rights mechanisms and encouraged Tajikistan to extend a standing invitation to the special procedure mandate holders.

98. Germany noted some encouraging developments with regard to the prevention of torture, but was of the opinion that Tajikistan had not fully implemented the Convention against Torture. It noted that the Government's promise to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty had not been fulfilled.

99. Ghana welcomed the State's efforts to ratify some of the core international human rights treaties, but was concerned at reports that the use of torture persisted despite the

acceptance by Tajikistan of a recommendation made during the first review to abolish the practice.

100. Guatemala welcomed the creation of a government body to oversee the implementation of the State's human rights obligations and hoped that its functions could be expanded to include improving and monitoring the implementation of recommendations made by the treaty bodies.

101. Honduras applauded the moratorium on the death penalty and expressed the hope that it would serve as a step towards the total abolition of capital punishment. Honduras also expressed the hope that the office of the Commissioner for Human Rights would become an independent and effective body.

102. The Sudan welcomed the cooperation of Tajikistan with various human rights mechanisms. It noted with satisfaction the changes made to improve conditions in the penitentiary system and efforts to fight human trafficking and promote the rights of women.

103. Brazil commended Tajikistan for the ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the adoption of the 2013 act on the prevention of domestic violence. However, it regretted the lack of solid mechanisms for their implementation. Brazil encouraged Tajikistan to make further progress in combating torture.

104. Montenegro highlighted the establishment of a children's ombudsman and the efforts made to eliminate forced child labour. It noted the concerns expressed by the Committee on the Elimination of Discrimination against Women about domestic violence and enquired about the efforts to provide medical care and protection for victims.

105. The delegation of Tajikistan reported that the code of administrative procedure had been amended in 2013 to include provisions on the prevention of domestic violence. The Criminal Code established liability for a number of crimes related to domestic violence. A network of inspectors operated throughout Tajikistan to prevent domestic violence. Several crisis and resource centres, as well as temporary shelters, also existed in the country. A special data collection system had been introduced to collect statistics on cases of domestic violence.

106. A special department had been established to coordinate the implementation of the recommendations made by the United Nations human rights bodies. Additionally, focal points had been appointed in all ministries and State agencies, as well as in local government bodies, to implement those recommendations.

107. The right to freedom of religion and belief was guaranteed to everyone regardless of ethnicity, race or language, in accordance with the human rights principles enshrined in the Constitution and in other domestic legislation. During the previous four years, more than 300 religious groups had been registered. The registration of religious groups was not a precondition for the recognition of and respect for different beliefs and religions. It was used mainly to provide them with legal status. A religious group could be banned by a court decision if the organization violated legal requirements.

108. The delegation explained that some restrictions on women's freedom of expression and religion, such as the fatwa against women attending or praying in mosques, were enforced by religious organizations and that the Government was therefore unable to interfere.

109. The delegation explained that existing legal restrictions on religious education were aimed at preventing the recruitment of young persons by religious terrorist organizations. Legal provisions had been introduced requiring persons planning to study in a religious educational institution outside of the country to provide the necessary documents to prove

that the institution concerned conformed to international standards. Religious education must comply with domestic legal provisions prohibiting incitement to hatred.

110. A new law on mass media had been adopted in 2013 to ensure the independence of the media and to bring legislation into line with international human rights standards. Any violation of the freedom of the media by State officials was subject to criminal liability. Every person was guaranteed the right to seek and receive information through the media on the activities of State officials and bodies. State officials and civil servants were obliged to respond to requests for information from citizens within three days. The blocking of websites containing materials promoting extremist and terrorism was carried out in line with the legal provisions in force. The new amendments to the law on counter-terrorism permitted the temporary suspension of electronic communication in cases involving ongoing counter-terrorism operations.

111. The delegation clarified that the new law on advocacy and the Bar did not provide the Ministry of Justice with any administrative functions with regard to the access of lawyers to the Bar or any authority to intervene in the work of the Bar.

112. Tax inspections were carried out in public organizations and a large number of tax evasion cases had been identified. Nevertheless, the delegation commented that those tax inspections should not been seen as an attempt to restrict the freedom of association.

113. The Government had carried out a feasibility analysis with regard to the ratification of the Convention on the Rights of Persons with Disabilities, in cooperation with non-governmental and international organizations. The delegation stated that Tajikistan was ready to ratify the Convention.

114. In conclusion, the delegation reiterated the commitment of Tajikistan to the universal periodic review process. The Government would study carefully all the recommendations and would begin its follow-up of those recommendations, in order to report on the progress achieved.

II. Conclusions and/or recommendations**

115. The recommendations formulated during the interactive dialogue and listed below have been examined by Tajikistan and enjoy the support of Tajikistan:

115.1 Ratify the Convention on the Rights of Persons with Disabilities (Togo) (Montenegro) (Uruguay) (Senegal) (Slovenia) (Guatemala) (Sierra Leone);

115.2 Consider ratifying the Convention on the Rights of Persons with Disabilities (Philippines);

115.3 Become a State party of the Convention on the Rights of Persons with Disabilities (Slovakia);

115.4 Finalize and take necessary steps to access the Convention on the Rights of Persons with Disabilities (Islamic Republic of Iran);

115.5 Consider the accession to the Convention on the Rights of Persons with Disabilities (Indonesia);

115.6 Proceed towards finalizing the ratification process of the Convention on the Rights of Persons with Disabilities (Egypt);

** The conclusions and recommendations have not been edited.

115.7 **Finalize the study and consideration to become a State party to the Convention on the Rights of Persons with Disabilities, provide adequate social protection for persons with grave disabilities, and improve opportunities for socioeconomic advancement of persons with disabilities (Malaysia);**

115.8 **Ratify the Convention on the Rights of Persons with Disabilities as soon as possible (Ghana);**

115.9 **Sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Turkey);**

115.10 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);**

115.11 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Slovenia) (Paraguay);**

115.12 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Uruguay);**

115.13 **Continue the work to bringing the national legislation in line with the international commitments (Kyrgyzstan);**

115.14 **Continue the on-going process of the exchange of views and experiences with other countries with respect to the improvement of national legislation in the field of human rights (Cuba);**

115.15 **Continue the efforts undertaken to strengthen the role of the national human rights institutions, in particular the Government Commission for Human Rights (Morocco);**

115.16 **Strengthen the national mechanisms to improve the protection of the rights of children (Kuwait);**

115.17 **Take all the necessary measures to ensure that the national human rights institution is in full compliance with the Paris Principles (Portugal);**

115.18 **Establish an institution for the promotion and protection of human rights, in conformity with the Paris Principles (Chad);**

115.19 **Ensure that the Human Rights Ombudsman is an independent institution and receives the necessary resources to fulfil its mandate in accordance with the Paris Principles (Uruguay);**

115.20 **Continue to take steps to ensure that the national human rights institution is in conformity with the Paris Principles (Egypt);**

115.21 **Strengthen further the capacity of the Office of the Commissioner on Human Rights in order to ensure its compliance with the Paris Principles (Niger);**

115.22 **Ensure that the Human Rights Ombudsman is an independent institution which functions in full compliance with the Paris Principles (Poland);**

115.23 **Continue reinforcing the mandate of the Commission on Implementation of international obligations in the field of human rights (State of Palestine);**

115.24 **Give continuity to strengthening of national human rights institutions and mechanisms to further promote and protect human rights in the country (Nepal);**

115.25 **Use a national mechanism for social security needs of the most vulnerable groups (Turkmenistan);**

115.26 **Strengthen the national capacity to implement the human rights action plans in accordance with international obligations (Sudan);**

115.27 **Promote the effective protection of children's rights in different relevant areas (Islamic Republic of Iran);**

115.28 **Continue to strengthen measures to improve access to justice and education to women and girls in rural areas (United Arab Emirates);**

115.29 **Take practical steps to strengthen the implementation of measures promoting the rights of women and children and eliminating violence against them (Australia);**

115.30 **Continue reviewing policies for effective implementation of women and child rights (Pakistan);**

115.31 **Step up efforts to create favourable work conditions for women, youth and persons with disabilities (Kyrgyzstan);**

115.32 **Take further steps in consolidating the cooperation with the national civil society organisations in implementation of programmes aimed at promotion and protection of Human Rights (Armenia);**

115.33 **Strengthen cooperation with human rights mechanisms in order to continue to harmonize national legislation with the international standards (Morocco);**

115.34 **Submit overdue reports to the Committee on the Rights of the Child (Ukraine);**

115.35 **Continue constructive cooperation with the United Nations human rights mechanisms (Azerbaijan);**

115.36 **Implement effectively the Convention on the Elimination of All Forms of Discrimination against Women, in particular by addressing deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society (Lithuania);**

115.37 **Take all necessary measures to fight against discrimination and violence against women and to accept individual complaints procedure relating to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (France);**

115.38 **Continue strengthening policies to promote gender equality and empowerment of women (Georgia);**

115.39 **Continue its efforts to eliminate the stereotypes regarding the roles and responsibilities of women and men in the family and in society (State of Palestine);**

115.40 **Take steps to end stereotypes and discriminatory behaviours against women and redress wage inequalities between men and women (Togo);**

115.41 **Promote greater representation of women in professional education, in decision-making positions in Government and in Parliament (Mexico);**

115.42 **Adopt legislation and policies to promote greater participation of women in political life and representative bodies (Costa Rica);**

115.43 **Adopt measures to eradicate gender discrimination in society, in the family and in the labour market (Honduras);**

115.44 **Adopt concrete measures to tackle structural inequalities, occupational segregation, the gender pay gap, and to ensure equal opportunities for women in all spheres of life (Slovenia);**

115.45 **Take measures to combat the stigmatization and discrimination associated with people living with tuberculosis and HIV as well as persons living with mental illness (Colombia);**

115.46 **Fully abolish the death penalty (Italy);**

115.47 **Fully abolish the death penalty, without delay (Lithuania);**

115.48 **Completely abolish the death penalty (Slovakia);**

115.49 **Abolish the death penalty (Costa Rica);**

115.50 **Eliminate the death penalty in all circumstances (Honduras);**

115.51 **Following the moratorium in force since 2004, undertake further measures to fully abolish the death penalty (Georgia);**

115.52 **Formally abolish the death penalty for all cases and under all circumstances, as well as ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Portugal);**

115.53 **Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (France);**

115.54 **Abolish the death penalty in law and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights(Australia);**

115.55 **Proceed to a de jure abolition of the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Belgium);**

115.56 **Establish the abolition of the death penalty through the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights (Spain);**

115.57 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights and abolish the death penalty without delay (Germany);**

115.58 **Strengthen practical efforts to eliminate torture (Australia);**

115.59 **Take measures to render its criminal law consistent with the prohibition of torture which constitutes a norm of international law (Honduras);**

115.60 **Conduct effective awareness raising activities to combat torture (Kyrgyzstan);**

115.61 **Implement the recommendations of the United Nations Special Rapporteur on torture and meaningfully investigate all allegations of torture (Slovakia);**

115.62 **Take immediate and concrete steps to fulfil the recommendations made by the United Nations Special Rapporteur on torture in 2012 and 2014, including the establishment of an effective national preventative mechanism (Canada);**

115.63 **Carry out awareness raising campaigns for the prevention of domestic violence, particularly against women and girls (Mexico);**

115.64 **Initiate awareness raising and training campaigns so that law enforcement officials, medical personnel and jurists learn how to provide proper care to survivors of gender violence (Spain);**

115.65 **Establish a mechanism for the implementation of the law on domestic violence and its associate Programme 2014-2023 (Lithuania);**

115.66 **Implement and enforce the domestic violence law of 2013 as well as strengthen the protection and promotion of women's rights through legislative and policy measures and by addressing social and cultural attitudes and practices (Norway);**

115.67 **Expedite the creation of a robust mechanism that will implement the 2013 law on domestic violence and its associated Programme for 2014-2023 (Republic of Korea);**

115.68 **Strengthen measures to combat violence against women, including through the assessment of the implementation of the Domestic Violence Prevention Act and its related Programme, and consider seeking international cooperation on this matter (Brazil);**

115.69 **Train the health care personnel to screen and document instances of domestic violence (Lithuania);**

115.70 **Take definitive measures to end child marriages (Maldives);**

115.71 **Continue to combat violence against children (Turkmenistan);**

115.72 **Combat and eliminate the worst forms of child labour, and raise the minimum age for hazardous work to 18 (Sierra Leone);**

115.73 **Establish a legal framework to fight against forced labour and to ban child labour (Sudan);**

115.74 **Implement the National Programme for 2015-2020 to Eradicate the Worst Forms of Child Labour (Cuba);**

115.75 **Enforce the prohibition of all corporal punishment of children in all settings, including in the domestic sphere and in care settings (Sweden);**

115.76 **Conduct regular monitoring of the situation related to trafficking in persons to effectively combat it (Belarus);**

115.77 **Continue with its positive steps to curb illicit drug trafficking (Pakistan);**

115.78 **Ensure the full independence of the judiciary (Poland);**

115.79 **Continue taking further steps for the strengthening of judicial system (Azerbaijan);**

115.80 **Continue the programmes to reform the judicial sector and penitentiary facilities (Sudan);**

115.81 **Take necessary measures to ensure the right to fair trial (Turkey);**

115.82 **Further strengthen the capacities of its prisons with a view to improving the custody conditions of detainees (Kazakhstan);**

115.83 **Continue the work to monitor and evaluate the penitentiary institutions (Kuwait);**

115.84 **Ensure that prompt, thorough and impartial investigations are carried out into all deaths in custody as well as all allegations of torture and ill-treatment (Denmark);**

115.85 **Conduct mandatory human rights training for law enforcement agencies, including training on hate crimes (Slovenia);**

115.86 **Maintain its effective protection of the family as the natural and fundamental unit of the society (Egypt);**

115.87 **Continue to implement programmes and policies aimed at strengthening inter-religious dialogue and fostering tolerance and understanding (Singapore);**

115.88 **Initiate a process of consultations with civil society to study how to reform the 2015 law on public associations to favour freedom of association, in line with international human rights norms (Spain);**

115.89 **Strengthen the mechanisms to ensure the safe and independent participation of civil society organizations in human rights discussions in the country and in their cooperation with the various United Nations mechanisms (Mexico);**

115.90 **Explore all the ways for enabling the development of a pluralistic society in a peaceful environment (Turkey);**

115.91 **Continue its efforts aimed at realizing the right to work for all with a specific focus on young people (Egypt);**

115.92 **Continue to formulate the next round of the national strategies for poverty reduction and development (China);**

115.93 **Continue to consolidate its successful measures towards the further advancing of its goal of reducing poverty by 20 per cent by 2020 (Bolivarian Republic of Venezuela);**

115.94 **Continue its excellent programs and social policies with the aim of further increasing the quality of life of its people, particularly the most vulnerable sectors of the population (Bolivarian Republic of Venezuela);**

115.95 **Continue implement the national strategy to improve the well-being of the population (Belarus);**

115.96 **Ensure access to clean drinking water is provided to the whole population (Maldives);**

115.97 **Improve the population's access to safe drinking water (Algeria);**

115.98 **Adopt a comprehensive mental health policy and plan of action based on a human rights approach (Brazil);**

115.99 **Continue to tackle the illicit traffic in narcotic drugs. In this vein, make complementary efforts to strengthen the existing legal and regulatory mechanism and better engagement of National Drug Control Agency with regional and international relevant institutions (Islamic Republic of Iran);**

115.100 Incorporate a human rights perspective in its legal and regulatory framework on combatting substance abuse and undertake transparent narcotic law enforcement, active campaign against drug use to the public, and rehabilitation programmes (Malaysia);

115.101 Improve the quality, availability and accessibility of primary health-care services, to reduce high rates of infant and maternal mortality (Maldives);

115.102 Allocate resources to promote universal access to HIV prevention and treatment in state and NGO-run health-diagnostic facilities without fear of stigma and discrimination (Netherlands);

115.103 Strengthen sexual and reproductive health education, as recommended by the Committee on Economic, Social and Cultural Rights (Slovenia);

115.104 Continue the efforts made in enhancing the right to education particularly education of children (Iraq);

115.105 Attach further importance to the culture of human rights through the educational and mass media institutions (Iraq);

115.106 Implement effectively measures to assist girls and children from low-income families to have access to quality education (Lao People's Democratic Republic);

115.107 Strengthen the efforts towards upgrading the facilities and capacity for quality education for all children, including special education, and improve the access to education for children living in remote areas (Malaysia);

115.108 Strengthen the national mechanisms for the access to appropriate education, including in rural regions (Belarus);

115.109 Continue the promotion of education in the field of human rights and dissemination of knowledge among the public about the international human rights standards (Turkmenistan);

115.110 Implement programmes of human rights education for state bodies, especially law enforcement officials (Colombia);

115.111 Implement educational programs aimed at raising awareness of the past genocides and of prevention of this crime (Armenia);

115.112 Continue to promote inclusive education for children with disabilities (India);

115.113 Promote the rights of disabled people, inter alia, through the ratification and implementation of the Convention on the Rights of the Persons with Disabilities (Algeria);

115.114 Take measures to ensure that persons with disabilities are recognized as a vulnerable group and can enjoy their economic, cultural and social rights (Honduras);

115.115 Take necessary steps to effectively implement the existing mechanism for the reintegration of returned migrant workers in the national economy (Kazakhstan);

115.116 Continue to draft development strategies, which Tajikistan intends to do in order to improve the standard of living (Sudan);

115.117 **Further invest in the medical and educational fields to promote comprehensive economic and social development (China).**

116. **The following enjoy the support of Tajikistan, which considers that they are already implemented:**

116.1 **Consider acceding to the Convention against Torture (Honduras);**

116.2 **Consider ratifying the International Convention on the Rights of All Migrant Workers and Members of Their Families (Philippines).**

117. **The recommendations below did not enjoy the support of Tajikistan and would thus be noted:**

117.1 **Become a State party of the International Convention for the Protection of All Persons from Enforced Disappearance (Slovakia);**

117.2 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Senegal) (France) (Sierra Leone) (Paraguay);**

117.3 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance as soon as possible (Ghana);**

117.4 **Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark) (Italy) (Senegal) (Costa Rica) (Slovenia) (Guatemala) (Paraguay) (Uruguay) (Portugal) (Norway);**

117.5 **Ratify the Optional Protocol to the Convention against Torture as soon as possible (Ghana);**

117.6 **Sign and ratify the Optional Protocol to the Convention against Torture (Turkey) (United Kingdom of Great Britain and Northern Ireland);**

117.7 **Consider ratifying the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and ensure effective implementation of national mechanisms in the area of identification and prevention of torture (Kazakhstan);**

117.8 **Ratify the Optional Protocol to the Convention against Torture and establish a national preventive mechanism accordingly, and ensure that prompt, thorough and impartial investigations are carried out into all allegations of torture (Czech Republic);**

117.9 **Systematically implement the Convention against Torture; ratify the Optional Protocol to the Convention against Torture; and set up an effective National Preventive Mechanism as soon as possible (Germany);**

117.10 **Ratify the Optional Protocol to the Convention against Torture and establish an effective National Preventive Mechanism. In the meantime, unimpeded access to all places of detention should be granted to independent civil society organisations working to prevent torture in Tajikistan (Sweden);**

117.11 **Ratify the Optional Protocol to the Convention against Torture and establish a strong and independent national preventive mechanism (Switzerland);**

117.12 **Consider accession to the Agreement on the Privileges and Immunities of the International Criminal Court (Latvia);**

117.13 **Become a State party of the Agreement on the Privileges and Immunities of the International Criminal Court (Slovakia);**

117.14 Adhere to the main international instruments on human rights to which it is not a party, in particular the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina).

118. The following recommendations will be examined by Tajikistan, which will provide responses in due time, but no later than the thirty-third session of the Human Rights Council in September 2016:

118.1 Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Senegal) (Slovenia);

118.2 Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities as soon as possible (Ghana);

118.3 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal);

118.4 Become a State party of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Slovakia);

118.5 Consider ratifying International Labour Organization Convention No. 189 (Philippines);

118.6 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);

118.7 Proceed with early conclusion of major international human rights treaties, including the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities (Japan);

118.8 Continue work aimed at ratification of international instruments, including the Convention on the Rights of Persons with Disabilities, the International Convention for the Protection of All Persons from Enforced Disappearance, the Second Optional Protocol to the International Covenant on Civil and Political Rights and the Optional Protocol to the Convention against Torture (Ukraine);

118.9 Ratify international human rights treaties: the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of Persons with Disabilities (Poland);

118.10 Engage in bringing Tajikistan's legislation in line with the country's international and Organization for Security and Cooperation in Europe commitments to protect freedom of religion (Austria);

118.11 Develop and implement a National Action Plan for Human Rights to further ensure systematic and comprehensive approach for the promotion and protection of human rights, with the full engagement of the civil society (Indonesia);

118.12 Consider the adoption of a comprehensive national human rights action plan by involving civil society (State of Palestine);

118.13 Put in place a comprehensive national human rights action plan, in cooperation with civil society (Slovenia);

118.14 Strengthen national coordination mechanisms and develop a comprehensive national human rights action plan, as recommended by the United Nations Secretary General in 2015, before Tajikistan's next Universal Periodic Review (Canada);

118.15 Issue a standing invitation to the United Nations special procedures (Lithuania);

118.16 Issue a standing invitation to all the special procedure mandate holders (Republic of Korea);

118.17 Issue a standing invitation to special procedures, giving priority to the Special Rapporteur on the rights to freedom of peaceful assembly and association, and the Special Rapporteur on the situation of human rights defenders (Uruguay);

118.18 Extend a standing invitation to the Human Rights Council's Special Procedures (Portugal);

118.19 Extend a standing invitation to all special procedure mandate holders of the Human Rights Council, as previously recommended (Latvia);

118.20 Consider issuing a standing invitation to special procedures (Turkey) (Ukraine);

118.21 Adopt a comprehensive anti-discrimination law, providing a definition of direct and indirect discrimination (Italy);

118.22 Reinforce the legal framework for the prevention of discrimination and violence against women (Italy);

118.23 Bring all provisions concerning racial discrimination into full compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (Guatemala);

118.24 Eliminate discrimination affecting freedom of religion (Honduras);

118.25 Urgently address the alleged systematic acts of torture and ill-treatment of persons in detention, and also ensure that all perpetrators are brought to justice (Ghana);

118.26 Take all necessary measures to effectively fight against torture and ill-treatment, particularly in places of detention, by creating an independent national preventive mechanism and ratifying the Optional Protocol to the Convention against Torture (France);

118.27 Continue its efforts to end violence against women, including through enacting preventive legislation, as well as through providing rehabilitative services to victims (Singapore);

118.28 Criminalize domestic violence, and facilitate access to legal remedies for victims of such violence (Paraguay);

118.29 Criminalize gender-based violence in all its forms, including the psychological ones (Spain);

118.30 Introduce a specific article on domestic violence in the framework of the forthcoming reform of the criminal code (Switzerland);

118.31 Criminalize domestic violence, create conditions in which victims do not fear to report cases of domestic violence, and increase the number of shelters available for victims (Czech Republic);

118.32 Include domestic violence as a specific crime in the criminal code (Sweden);

118.33 Establish procedures and allocate resources to identify victims of trafficking in persons and provide appropriate services for them (Paraguay);

118.34 Take further measures to prevent trafficking in persons, in investigating and prosecuting offenders, and provide effective support and redress to victims (United Arab Emirates);

118.35 Take all necessary measures to strengthen the independence of the judiciary and respect for the right to a fair trial, including as part of the ongoing trial against the leaders of the Islamic Renaissance Party of Tajikistan (France);

118.36 Introduce measures to ensure the free, fair and open conduct of trials in accordance with international standards including access to Legal Counsel in pre-trial custody (United Kingdom of Great Britain and Northern Ireland);

118.37 Ensure that detainees are afforded fundamental legal and procedural safeguards from the outset of their deprivation of liberty, and establish an independent National Preventive Mechanism in compliance with the requirements of the Optional Protocol to the Convention against Torture (Norway);

118.38 Ensure lawyers freedom to exercise their professional duties by guaranteeing unhindered access to their clients, freedom to represent their clients without threats from state or other actors and that such threats are promptly investigated (Norway);

118.39 Refrain from and prevent any executive interference with lawyers' conduct of their professional duties (Austria);

118.40 Make the necessary amendments to the law on "Advokatura" of 2015 in order to remove any obstacle to the independence of the profession of a lawyer, in parallel with actions promoting the independence of judges (Belgium);

118.41 Grant missions sent by the International Committee of the Red Cross full access to prisons and detention centers for independent monitoring (Germany);

118.42 Ensure the freedom of expression, association, assembly and freedom of religion in accordance with international human rights norms (Slovakia);

118.43 Ensure freedom of expression, of assembly and of association in accordance with its international obligations and do not interfere with civil society organizations and their activities by excessive regulations which are formulated ambiguously (Switzerland);

118.44 Respect freedom of expression, assembly and association, in particular by not prosecuting people on the sole grounds of their membership of a political movement, and by implementing the recommendations of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression following his visit (France);

118.45 Guarantee freedom of religion or belief and eliminate all forms of discrimination against people belonging to religious minorities, in particular in the field of religious education (Poland);

118.46 **In the interest of religious tolerance, lift the bans on religious groups to enable them to practise their religions freely (Sierra Leone);**

118.47 **Take the measures necessary to eliminate restrictions on freedom of worship, including the possibility of exercising the right to conscientious objection to compulsory military service (Argentina);**

118.48 **Amend the Law on Freedom of Conscience and Religious Organizations to fully protect the right to freedom of religion or belief in compliance with international norms and obligations. Remove restrictions imposed over religious education and literature, activities of religious organizations, and religious dress to promote religious tolerance (Canada);**

118.49 **Abolish all limitations with respect to freedom of religion and expression (Turkey);**

118.50 **Ensure the exercise of the right to freedom of expression, including through access to Internet sites and social networks without undue restrictions (Colombia);**

118.51 **Redouble its efforts to create an environment that ensures freedom of expression for journalists and media, including by revising the 2013 law and the 2015 governmental regulation on media, towards encouraging a free and active press (Republic of Korea);**

118.52 **Ensure that journalists and other individuals be able to freely exercise the right to freedom of expression and have access to Internet without undue restrictions (Lithuania);**

118.53 **Respect freedom of the media and ensure the safety of journalists (France);**

118.54 **Rescind undue restrictions on the media and access to information, including on the internet, and tolerate all forms of legitimate speech, including criticism of the government and its policies (Austria);**

118.55 **Remove undue restrictions on use of Internet and ensure that journalists can freely exercise their right to freedom of expression (Japan);**

118.56 **Repeal legislation that facilitates the blockage of Internet content and telecommunications (United States of America);**

118.57 **Review its legislation and policies in order to create a free, safe and enabling environment for journalists, bloggers and others to exercise fully their right to freedom of expression (Czech Republic);**

118.58 **Prevent arbitrary and extrajudicial blocking of websites and ensure that national security concerns are not invoked to stifle peaceful dissent and criticism of the Government or to restrict the right to freedom of religion or belief (Czech Republic);**

118.59 **Ensure that suspension of media outlets, including online media, cannot occur without judicial procedures on the basis of strict necessity and proportionality (Netherlands);**

118.60 **Decriminalize defamation (Lithuania);**

118.61 **Bring its law on public associations into line with the International Covenant on Civil and Political Rights and also as recommended by the Human Rights Committee, reinstate NGOs, which were unlawfully shut down, and**

refrain from imposing discriminatory restrictions on the freedom of association (Lithuania);

118.62 **Amend the Law on Public Association to ensure consistency with international human rights norms (Australia);**

118.63 **Review the Law on Public Associations and all relevant policies in order to eliminate inappropriate restrictions on the right to freedom of association and ensure that all civil society organizations, including those with foreign funding, can work free from undue administrative obstacles or harassment (Czech Republic);**

118.64 **Harmonize the Law on Public Assembly with international standards (Costa Rica);**

118.65 **Take the necessary measures so as to ensure that journalists and human rights defenders can do their work independently and without fear of reprisals from the authorities, be they of financial, legal or of another nature (Belgium);**

118.66 **Cease the harassment and persecution of human rights defenders and civil society organizations, including by ensuring that the implementing regulations for amendments to the Law on Public Associations are not used to harass NGOs through surprise inspections, onerous information requests, and other inhibiting tactics (United States of America);**

118.67 **Provide human rights defenders, including defence attorneys and political figures detained as a result of their political activities, such as Burzurgmehr Yorov, Shuhrat Qudratov, and Ishoq Tabarov and his sons, with fair open, and transparent trials, including the substantive protections and procedural guarantees in accordance with Tajikistan's international obligations (United States of America);**

118.68 **Take measures in order to ensure that freedom of assembly and association can be exercised in line with international obligations and refrain from imposing restrictions on civil society and human rights defenders (Poland);**

118.69 **Immediately and unconditionally release prisoners arrested on politically motivated charges, including members of the Islamic Renaissance party of Tajikistan, Group 24 and their lawyers (Norway);**

118.70 **Allow peaceful opposition groups and parties to operate freely and exercise their rights to freedom of assembly, association, expression, and religion in accordance with international human rights norms (Austria).**

119. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Tajikistan was headed by the Minister of Justice of Tajikistan, Mr. Rustam Shohmurod and composed of the following members:

- Mr. Yusuf Rakhmon, Prosecutor General
- Ms. Sumangul Tagoizoda, Minister of Labour, Migration and Employment
- Mr. Jamshed Khamidov, Ambassador, Permanent Representative of the Republic of Tajikistan to the United Nations Office and other International Organizations in Geneva
- Mr. Rahmatullo Mirboboev, First Deputy Minister of Education and Science
- Ms. Saida Umarzoda, First Vice-Minister of Health and Social Affairs
- Mr. Sharaf Karimzoda, the Deputy Head of Division on Human Rights Guarantees under Executive Office of the President of Tajikistan.

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Universal periodic review

Report of the Working Group on the Universal Periodic Review*

United Republic of Tanzania

* The annex is being circulated in the language of submission only.

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fifth session from 2 to 13 May 2016. The review of the United Republic of Tanzania was held at the 10th meeting on 9 May 2016. The delegation of the United Republic of Tanzania was headed by the Permanent Secretary at the Ministry of Constitutional and Legal Affairs , Professor Sifuni E. Mchome. At its 19th meeting, held on 12 May 2016, the Working Group adopted the report on the United Republic of Tanzania.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the United Republic of Tanzania: Burundi, China and Venezuela (Bolivarian Republic of).

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of the United Republic of Tanzania:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/25/TZA/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/25/TZA/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/25/TZA/3).

4. A list of questions submitted in advance by Belgium, the Czech Republic, Germany, Liechtenstein, Mexico, the Netherlands, Norway, Slovenia, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America was transmitted to the United Republic of Tanzania through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation stated that the 107 recommendations accepted at the last review had been clustered into 23 thematic areas and incorporated into the National Human Rights Action Plan.

6. Since that review, local and national elections had been held. The Zanzibar Electoral Commission had identified irregularities and ordered a rerun of the elections, which were successfully held on 20 March 2016.

7. The Constitutional Review Act (Chapter 83 of the Laws) provided for transparency and inclusion of the views of people at all stages of the constitutional review process. People were given an opportunity to express their views to the Constitutional Review Commission.

8. In 2015, the minimum wage was increased and the "pay as you earn" deduction for low-income earners was reduced by 2 per cent. Also, the board of the Workers' Compensation Fund started operating and social security laws were amended.

9. The Cybercrimes Act of 2015, which protected the right to privacy and personal security in the digital sphere, as well as children from crimes such as child pornography, was in part the result of efforts to incorporate into national law the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The Act also prohibited acts of terrorism, genocide and crimes against humanity.

10. A national action plan to control and prevent malaria (2014-2020) was launched. A trust fund was established to address HIV/AIDS, the HIV and AIDS Prevention Act of 2013 had been enacted in Zanzibar and programmes had been introduced to prevent mother-to-child transmission of HIV.

11. Three State party reports had been successfully considered by the relevant treaty bodies and the recommendations arising therefrom were being implemented.

12. The third national anti-corruption action plan was being prepared. Legislation had been enacted, such as the Whistleblower and Witness Protection Act of 2015 and the Zanzibar Anti-Corruption and Economic Crimes Act of 2012, which established the Zanzibar Anti-Corruption and Economic Crimes Authority. The Assets Recovery and Forfeiture Unit had been established. A corruption and economic crimes court was in the process of being established.

13. The Government was assessing the possibility of ratifying the Agreement on the Privileges and Immunities of the International Criminal Court, fully integrating the Rome Statute into domestic legislation and ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

14. The National Plan of Action for the Prevention and Eradication of Violence against Women and Children continued to be implemented. A free helpline had been launched to encourage people to report and seek assistance for incidences of violence against children. Forty-seven "one-stop centres" for child abuse victims had been established. A shelter had been designated to accommodate survivors of gender-based violence.

15. The National Plan of Action for the Prevention and Eradication of Female Genital Mutilation continued to be implemented, as did the National Plan of Action to Accelerate the Eradication of Female Genital Mutilation and Other Harmful Traditional Practices and the National Human Rights Action Plan, while the National Policy on Childhood Care and Development, which addresses female genital mutilation, was at the validation and approval stage.

16. The Witchcraft Act (Chapter 18 of the Laws) and the Traditional and Alternative Medicines Act of 2012, aimed at combating witchcraft and related killings, were being reviewed. The National Ageing Policy of 2003 too was being reviewed, and a bill was being drafted to protect the elderly.

17. There had been a continued increase in the number of women in decision-making and leadership roles. In 2015, there were 10 women ministers, 5 women deputy ministers, 32 women judges in the High Court, 5 women judges in the Court of Appeal, 53 women district commissioners and 7 women regional commissioners. Also, for the first time, the Vice-President and Deputy Attorney General were women.

18. Access to education for children with disabilities had been ensured through such measures as the Education and Training Policy of 2014 and the inclusive education strategy for 2012-2017. An educational support and resource centre had been established in Dar es Salaam. Guidelines on the early identification of children with special needs and on early

intervention had been developed. In Zanzibar, the Persons with Disabilities (Rights and Privileges) Act of 2006 continued to be implemented and an inclusive education system had been developed.

19. The national pension schemes had addressed disability concerns in the workplace and guidelines for employers on how to support employees with disabilities had been developed.

20. The National Anti-Trafficking in Persons Action Plan (2015-2017) had been launched and regulations were being drafted for the implementation of the Anti-Trafficking in Persons Act of 2008. Training on the identification and detection of alleged perpetrators and victims of human trafficking had been conducted.

21. To address prison overcrowding, a concept note to amend the Parole Boards Act of 1994 to allow more prisoners to serve community service sentences had been drafted. Prisoners could be pardoned by presidential amnesty. The National Criminal Justice Forum had been established to address overcrowding in prisons. A strategy had been designed in 2014 for the implementation of the National Prison Policy.

22. In the National Human Rights Action Plan, marginalized and vulnerable persons are identified as persons with special needs, women, children, the elderly and children in conflict with the law. The Tanzania Social Action Fund was being implemented to ensure social protection for marginalized people. Regulations had been introduced to implement the Law of the Child (Act No. 21). The National Child Justice Reform Strategy (2013-2017) had been adopted.

23. The Law of the Child (Child Employment) Regulations of 2012 prohibited the employment of children under the age of 14. The National Action Plan for the Elimination of Child Labour (2009-2015) continued to be implemented. The child labour monitoring system had prevented the involvement of children in labour. Measures had been taken to bring an end to child labour in the extractive industries.

24. The Second National Costed Plan of Action for Most Vulnerable Children (2013-2017) and the Community-based Strategic Plan of 2013, which address the issue of children living and working in the streets, continued to be implemented.

25. Section 19 of the Public Health Act of 2009, which obligated every pregnant woman to undergo immunization against tetanus and any other infectious diseases, continued to be implemented. The Act also imposed an obligation on parents and guardians to ensure that every child was immunized.

26. The Constitution guaranteed the right to freedom of expression and assembly to everyone, including human rights defenders, political opponents and journalists.

27. Programmes to combat poverty continued to be implemented and the Government subscribed to the Sustainable Development Goals contained in the 2030 Agenda for Sustainable Development. The 15-year national development plan was being implemented. The National Agriculture Policy of 2013, which addresses food security and nutrition, and the National Irrigation Policy of 2010, which recognizes irrigation as essential for increased productivity and production in mitigating the vagaries of weather and food insecurity, continued to be implemented. Those policies reinforced the commitment to food sufficiency and sustainability in a context of climate change.

28. Access to adequate, clean and safe drinking water has continued to increase through the construction and rehabilitation of water infrastructure.

B. Interactive dialogue and responses by the State under review

29. Costa Rica noted the increase in female representation in the political arena, but expressed concern at the lack of women's access to employment and health services. It also expressed concern about corruption, trafficking in persons, corporal punishment and impunity.

30. Cuba emphasized the significant increase in the number of women in leadership positions, the successful achievement of the constitutional reform and the adoption of the National Human Rights Action Plan.

31. Cyprus commended the United Republic of Tanzania for the launch of the National Human Rights Action Plan, but remained concerned about violations of human rights, particularly against women and children.

32. The Czech Republic appreciated the presentation made by the United Republic of Tanzania and made recommendations.

33. Denmark welcomed the granting of citizenship to approximately 160,000 refugees in 2014 and the progress in promoting women's and girls' rights despite the persistence of a significant gender gap.

34. Egypt welcomed the drafting of a new Constitution, the adoption of the National Plan of Action for the Prevention and Eradication of Violence against Women and Children and the National Child Justice Reform Strategy.

35. Equatorial Guinea welcomed the adoption of measures to improve access to justice and health, and initiatives taken to strengthen the right to participate in public affairs.

36. The Philippines noted the remaining challenges with regard to child marriage, violence against women and access to education. It urged the United Republic of Tanzania to continue improving its normative framework and public awareness campaigns to end child marriage.

37. Finland commended the commitment to curb corruption and invest in education. It noted that the number of women in leadership positions in the ministries and at the local level remained low.

38. France made recommendations.

39. Gabon praised the review of the Witchcraft Act and the Traditional and Alternative Medicines Act and the creation of 15 shelters for survivors of witchcraft-related killings and of centres for the protection of children with albinism.

40. Germany welcomed efforts to reduce extrajudicial violence and violence against persons living with albinism, but remained concerned about the rights of women and girls.

41. Ghana congratulated the United Republic of Tanzania for conducting free and fair general elections in 2015, for drafting a new Constitution and for establishing an HIV/AIDS trust fund.

42. Guatemala noted that corruption was a permanent challenge undermining individual and collective development and hoped that a court could soon be established to deal with corruption-related crimes, as the United Republic of Tanzania said it would.

43. Haiti noted the progress made in the field of justice, the fight against corruption, the fight against female genital mutilation and the granting of citizenship to a remarkable number of refugees.

44. Honduras commended the efforts made to implement the recommendations received during the first universal periodic review cycle and noted, in particular, the adoption of the National Human Rights Action Plan.

45. India congratulated the United Republic of Tanzania for the conduct of the fifth multiparty elections in October 2015, for affirmative action taken to safeguard women's empowerment, for initiatives against female genital mutilation and in favour of protecting persons with albinism, and for ensuring gender equality in the fields of health and the economy.

46. Indonesia commended the United Republic of Tanzania for holding general elections in 2015, formulating a new Constitution, adopting the National Human Rights Action Plan and making efforts to accede to human rights instruments.

47. Ireland was concerned that elements of domestic violence were not legislated in the Penal Code. It welcomed the peaceful conduct of the 2015 elections but was concerned at limitations placed on freedom of assembly.

48. Italy welcomed the criminalization of female genital mutilation. In addition, it noted that the main reason why the United Republic of Tanzania did not ratify the Convention against Torture was that it retained the death penalty.

49. Japan called upon the United Republic of Tanzania to continue sincerely addressing the implementation of its education policy, including through new budget allocations. Japan was concerned at the continuation of grave violations of women's rights, including domestic violence and female genital mutilation.

50. Kuwait noted the commitment to human rights despite the challenges, demonstrated through the adoption of the new Constitution, the judicial affairs law and the National Human Rights Action Plan and through the increased number of women in high positions.

51. Latvia called for stronger action to address widespread child marriage and to enhance cooperation with special procedures. Latvia urged the United Republic of Tanzania to act on its previous commitment to ensure full freedom of expression, association and assembly.

52. Libya commended the efforts to strengthen the work of the Commission for Human Rights and Good Governance through measures to enhance its financial and human resources and through the electronic complaints system.

53. Madagascar welcomed the laws, regulations, policies, programmes and projects in the field of human rights.

54. Malaysia noted improvements such as the increased minimum wage and investment in public health. It encouraged the United Republic of Tanzania to pay further attention to the rights of women and children and the provision of adequate housing.

55. Maldives welcomed the adoption of policies for education and social protection and against trafficking. It urged the United Republic of Tanzania to allocate adequate resources to tackle the effects of climate change, especially on food security.

56. Mali noted, among other issues, women's improved representation in decision-making positions and the review of the Witchcraft Act. It encouraged the United Republic of Tanzania to ratify all international human rights instruments to which it was not yet a party. Mali appealed to the international community to support the efforts of the United Republic of Tanzania.

57. Mauritius commended efforts to achieve gender equality, including steps to prevent and eliminate female genital mutilation, and hoped the new Constitution soon to be adopted would further consolidate women's rights and eliminate discrimination.

58. Mexico acknowledged the adoption of the National Human Rights Action Plan and the elimination of school fees in primary education. It noted efforts to adopt a new Constitution.

59. Mongolia acknowledged the launching of the National Human Rights Action Plan and the strengthening of the national human rights institution's capacity. It encouraged the United Republic of Tanzania to further promote and protect the rights of women, children and persons with disabilities.

60. Morocco commended the implementation of the National Human Rights Action Plan and the strengthening of the Commission for Human Rights and Good Governance.

61. Mozambique commended proposals in the new Constitution affording women equal rights to men on inheritance, succession and issues of land. Mozambique appealed to the international community to respond to the reported requests made by the United Republic of Tanzania for support.

62. Namibia noted significant law reform and the translation of laws into Swahili. It asked about lessons learned from the recent expiration of the national action plan to prevent and eradicate violence against women and children.

63. Nepal was sympathetic to the need for technical and financial support from the wider international community and applauded the rigorous review process followed in the making of the new Constitution, which awaited a referendum.

64. The Netherlands expressed concern about the recently passed media laws, which infringed on freedom of expression, and the lack of inclusive and legitimate democracy in Zanzibar.

65. Norway noted that the number of reported instances of gender-based violence and violence against children remained high. It noted as positive the 20-year moratorium on the death penalty.

66. Oman was satisfied with the use of strategies and social and economic plans to combat poverty and the prioritization of specific development projects, with their own budgets, to raise the standard of living.

67. Pakistan welcomed the strengthening of national human rights institutions and appreciated measures taken for women's empowerment and the protection of children, the elderly and persons with disabilities.

68. Panama welcomed the enactment of laws to promote and protect human rights, as well as the commitment to increase the budget allocated to children.

69. Ethiopia commended the United Republic of Tanzania for, in particular, implementing the Tanzania Development Vision 2025, the national strategies for growth and the reduction of poverty and initiatives to control and prevent malaria.

70. Poland appreciated efforts made to ensure access to education for all children, including children with disabilities, and welcomed the adoption of legislation prohibiting the employment of children under 14 years of age and the implementation of a related plan.

71. Portugal commended the United Republic of Tanzania for its efforts to provide quality education. Portugal welcomed the strong commitment to fight discrimination and violence against persons with albinism and the State's status as a de facto abolitionist country.

72. The Republic of Korea welcomed the adoption of the National Human Rights Action Plan and efforts to reduce maternal mortality. It declared that it stood ready to contribute to further improving the basic infrastructure for human rights.

73. Senegal welcomed the transparent electoral process, the integration of the fight against corruption in the national school curriculum, the establishment of centres on women's rights in rural areas and protection measures for persons with albinism.

74. In response to some of recommendations, the delegation of the United Republic of Tanzania stated that female genital mutilation had been criminalized in the penal code and referred to the national action plan for preventing female genital mutilation as one of the initiatives to stop that practice. The last demographic health survey indicated that female genital mutilation was on the decline.

75. The ratification of the Convention against Torture was a policy issue, as the death penalty was a lawful sanction. The Constitution prohibited torture in all its forms, and some forms of torture were criminalized in the penal code. The Commission for Human Rights and Good Governance received complaints of torture. There were remedies for victims of torture.

76. As already indicated, the possibility of ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was still being assessed. In the interim, The United Republic of Tanzania adhere to the International Labour Organization (ILO) frameworks for the protection of workers' rights, including foreign and local workers. The possibility of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance was also being assessed.

77. In response to statements on the death penalty, the delegation stated that measures, including mandatory representation and fair trial guarantees, were in place to protect the rights of suspects charged with capital offences. Convicts also had the right to appeal decisions. No position could be offered on the issue of a moratorium on the death penalty, as that was a policy issue.

78. Rape in all its forms was criminalized in the Penal Code and the legal framework recognized rape for separated couples. The concept of marital rape was however alien to Tanzanian society and the legal framework, and was contrary to cultural norms and values. When people get married they become one, so one cannot see how then one spouse could rape the other.

79. Standing invitations to special procedures could not be granted, but requests by special procedures were normally assessed on a case-by-case basis. A number of special rapporteurs from regional and international organizations had visited the country.

80. The National Human Rights Action Plan launched in 2013 had already been implemented and was up for review, being a four-year plan. The Tanzania Development Vision 2025 for the alleviation of poverty was being implemented.

81. Crimes against persons with albinism were investigated and perpetrators prosecuted. An office had been set up to address issues concerning persons with disabilities, as well as persons with albinism.

82. The Government was committed to allocating resources for human rights issues, such as health, education and protection of women and children, and resources for the national human rights institution. It was also committed to ensuring that there was peace and tranquillity in Zanzibar, and that the island continued to be a stable part of the union.

83. Sierra Leone noted that more than 50 per cent of the supported recommendations from the previous universal periodic review had been implemented. It encouraged the United Republic of Tanzania to facilitate the work of the Independent Expert on the enjoyment of human rights by persons with albinism.

84. Singapore welcomed measures to strengthen the protection of women and combat violence against women and children, and the adoption of the new Education and Training Policy and the inclusive education strategy.

85. Slovenia remained concerned about reported discrimination, particularly against pregnant teenage girls and children with albinism, about gender gaps in human development and about continued gender-based inequalities in reproductive health and the economy.

86. South Africa welcomed the abolishment of fees in primary and secondary schools and noted the "Big results now" initiative, aimed at accelerating the development agenda.

87. Spain commended the participation of women in political life, the de facto moratorium on the death penalty and the recently approved law on the administration of justice. Spain noted progress in protecting persons with albinism.

88. The State of Palestine commended the progress made through various measures and initiatives since the first universal periodic review. It noted improvements in quality and access to education, but remained concerned about inadequacies in the education infrastructure.

89. The Sudan commended the legislative developments, particularly the enactment of the Cybercrimes Act and the Disaster Management Act and the adoption of the National Human Rights Action Plan. It noted the initiatives to provide access to health-care services.

90. Swaziland congratulated the State party for successfully holding the 2015 elections and for promulgating and integrating into domestic legislation numerous human rights-related laws. It noted that all national laws were being translated into Swahili.

91. Sweden commended efforts made since the previous universal periodic review to secure women's and children's human rights; nonetheless, problems still existed.

92. Switzerland commended the National Human Rights Action Plan. It expressed concern about violence and discrimination against women, about the violent repression of certain demonstrations and about the harassment and arresting of human rights defenders.

93. Tajikistan welcomed the adoption of the National Human Rights Action Plan and the Cybercrimes Act to improve the safety of young people, including children.

94. Togo noted the legislative measures taken to strengthen human rights protection and appreciated the translation of laws in Swahili and the good cooperation with treaty bodies. It commended the medium-term strategic plan on human rights education.

95. Turkey welcomed the various human rights-related efforts and appreciated that the national human rights institution had retained its "A" accreditation status. It welcomed the work of the special child bureau while observing that it was necessary to implement certain targeted measures.

96. Uganda noted the efforts made to enact human rights-related legislation and the work done on a third national anti-corruption strategic action plan. It remained concerned that persons with albinism continued to be killed and about domestic violence.

97. Ukraine acknowledged the achievements and accomplishments responding to the first universal periodic review recommendations. Ukraine noted challenges in ensuring right to food due to drought and called for adequate resources to be allocated through donor funding.

98. The United Kingdom of Great Britain and Northern Ireland noted restrictions to freedom of expression, political parties and journalists during the 2015 election. It

expressed concern about the cancellation of the election in Zanzibar and encouraged the establishment of an independent electoral commission.

99. The United States of America expressed concern about the decision to annul the election, the use of the Cybercrimes Act to arrest individuals, the use of excessive force by the security service, gender-based violence, trafficking and media laws.

100. Uruguay congratulated the State party for its efforts to implement the Sustainable Development Goals and encouraged further efforts to improve access to health, water and education. It encouraged the implementation of the recommendations made by the Committee on the Elimination of Discrimination against Women.

101. The Bolivarian Republic of Venezuela noted the adoption of the 2014 social protection policy in Zanzibar, the medium-term strategic plan on human rights education and the National Human Rights Action Plan.

102. Yemen commended the creation of the Law Reform Commission of Tanzania to revise the civil, judicial and criminal justice system, the legal framework to solve disputes over land and laws related to social welfare and juvenile justice.

103. Zimbabwe commended the adoption of the National Human Rights Action Plan, the efforts made to enhance women's rights and the development of a road map for raising awareness on gender-based violence, female genital mutilation and non-discrimination against people with albinism. It also commended the adoption of sectoral strategies and policies and the abolition of school fees.

104. Algeria welcomed several human rights-related laws and the progress made in matters such as civil justice and the settlement of land disputes, social security, health, the fight against malaria and HIV/AIDS and the promotion of women's and children's rights.

105. Angola noted the progress made in improving access to the education system and the substantial increase in the number of women in decision-making positions. It was concerned about challenges in the area of health and in relation to people with albinism and with disabilities, and urged the State party to pay more attention to pregnant girls.

106. Argentina commended the adoption of the medium-term strategic plan on human rights education and noted the efforts made to combat gender-based violence and discrimination against women and girls.

107. Australia commended efforts made to strengthen the capacity of the Commission for Human Rights and Good Governance. It encouraged the United Republic of Tanzania to protect the rights of all persons regardless of sexual orientation, and expressed concern about freedom of expression, particularly in the media.

108. Austria welcomed efforts to draft a new Constitution, but expressed concern about a number of oppressive laws, like the cybercrimes and the statistics acts, and about reports of journalists facing harassment, torture and death.

109. Bangladesh noted various improvements and progress made in the area health and in ensuring the rights of women and persons with disabilities. It also noted the initiatives to curb violence against women and children. It acknowledged the difficulties and challenges faced in education and by children living without parental care.

110. Belgium acknowledged progress regarding children's rights and welcomed the de facto moratorium on the death penalty. It was worried by reports indicating that newspapers and radio stations had been made to suspend operations.

111. Bhutan welcomed the steps taken to implement the universal periodic review recommendations by incorporating them into the National Human Rights Action Plan. Bhutan welcomed the announcement that the State party would provide free primary and

secondary education starting in 2016. Bhutan appreciated the various measures to fight corruption.

112. Botswana asked when the referendum to approve the proposed Constitution would be held. It welcomed the Children's Act, but noted that the United Republic of Tanzania needed to do more to address the rights of the girl child and of children with albinism.

113. Burkina Faso was familiar with the phenomenon of certain elderly women being accused of witchcraft and welcomed the development of a law to protect the elderly, including such women.

114. Burundi commended the adoption of the National Human Rights Action Plan and its follow-up mechanism. It welcomed the strengthening of the national human rights commission by granting greater financial and human resources.

115. Cabo Verde noted the action plans on human rights and on violence against women and children. It welcomed the criminalization of female genital mutilation and the participation of women in political life.

116. Canada commended the holding of general elections in October 2015 but reiterated concern over the annulment of the elections in Zanzibar. Canada noted the generous hosting of refugees.

117. The Central African Republic encouraged the State party to adopt an official moratorium on the death penalty and to speed up the process towards abolition. It encouraged the United Republic of Tanzania to publish the regulations linked to the Anti-Trafficking in Persons Act.

118. Chad acknowledged the progress made in the areas of health, justice, education and witchcraft. It commended the strategy to reform juvenile justice in the mainland and in Zanzibar and the engagement with human rights mechanisms.

119. Chile acknowledged the action plans on human rights and on violence against women and children. Chile noted the progress made on the promotion the rights of women, older persons, persons with disabilities and persons with albinism.

120. China noted the progress made on poverty reduction, the status of women and malaria prevention. It welcomed the implementation of the National Human Rights Action Plan and the establishment of an HIV/AIDS trust fund.

121. The Congo noted the adoption of the action plan against corruption and welcomed efforts to eliminate discrimination against women. It encouraged greater compliance with human rights instruments.

122. Montenegro commended activities to improve the health-care system. It commended the zero-tolerance policy for acts of violence against children and asked what actions had been taken to investigate cases of child sexual exploitation and to prosecute perpetrators and about the elimination of child, early and forced marriage.

123. Brazil commended the implementation of the National Human Rights Action Plan. It noted the commitment to fighting corruption and the dialogue with civil society.

124. The delegation of the United Republic of Tanzania recalled its earlier comments on the Cybercrimes Act. The Statistics Act, which had been enacted to coordinate the national statistics system, aimed to ensure that statistics were of high quality and to create an official repository for statistics and reports. Any views on amending that act should be channelled through the appropriate authorities.

125. A coordination mechanism for implementing the outcomes of the universal periodic review had already been set up and came under the authority of the Attorney General, who was empowered to coordinate implementation, in consultation with stakeholders.

126. Increasing the minimum age of marriage was a sensitive issue, as sentiments, traditions and religion were connected to it. A white paper was being prepared and legislative measures were being considered to address the issue.

127. The United Nations country team in the United Republic of Tanzania had been approached to provide funds and technical assistance to clear the backlog of overdue reports to the treaty bodies.

128. The Government had continued to implement the National Water Policy of 2002, with the goal of increasing the percentage of people with access to safe and clean drinking water to 87 per cent in urban areas and 67 per cent in rural areas.

129. It was not the policy of the Government to unlawfully evict any person. All relocation of people was done in accordance with the law, which provided compensation whenever a violation of the law occurred.

130. The proposed Constitution made specific provision for the rights of women and issues of inheritance and succession had been clearly set out in the text. After the proposed Constitution was adopted, those issues would be addressed.

131. In relation to the elections in Zanzibar, the delegation stated that the March 2016 elections had been free, fair, transparent, inclusive and representative. All parties had been allowed to participate, but some parties chose to boycott the elections.

132. On the issue of property and land ownership for indigenous people, pastoralists and farmers, the delegation stated that all people of African descent were indigenous and that the Constitution and the legal framework protected the right of all persons to own property.

133. The delegation stated that homosexuality and abortion were illegal. It thanked all delegations for their participation in the review.

II. Conclusions and/or recommendations[**]

134. **The recommendations listed below have been examined by the United Republic of Tanzania and enjoy the support of the United Republic of Tanzania:**

134.1 **Intensify efforts to ratify the Convention against Torture (Chile);**

134.2 **Consider ratifying the Convention on the Rights of the Child, the Convention against Torture and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines);**

134.3 **Continue looking into the feasibility of ratifying the Convention against Torture and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Mozambique);**

134.4 **Consider the possibility of ratifying the Convention against Torture and the International Convention for the Protection of All Persons from Enforced Disappearance (Ukraine);**

[**] The conclusions and recommendations have not been edited.

134.5 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Congo);

134.6 Consider adopting the new Constitution as soon as possible (Togo);

134.7 Hold the referendum on the Constitution (Kuwait);

134.8 Continue with the Constitution-making process, which should be transparent and include consultations with civil society (Austria);

134.9 Proceed with the finalization of the draft constitution and take steps to make its provisions related to women's rights in matters of inheritance, succession and land rights, applicable (Burkina Faso);

134.10 Reinforce the prohibition of torture in the new constitution, which is pending approval (Spain);

134.11 Continue to improve its national laws and regulations for the protection and promotion of human rights (Tajikistan);

134.12 Undertake a global revision of its national legislation in order to harmonize it with human rights instruments to which Tanzania is party, with a view to guaranteeing gender equality (Honduras);

134.13 Prohibit and criminalize acts of domestic violence (Turkey);

134.14 Combat the phenomenon of early and forced marriage by amending the relevant legislation accordingly (Cyprus);

134.15 Finalize the law on the protection of the elderly, including women accused of witchcraft, and ensure its strict application (Burkina Faso);

134.16 Give continuity to the strengthening of national human rights institutions and mechanisms to further promote and protect human rights in the country (Nepal);

134.17 Improve the functioning of the National Electoral Commission and Zanzibar Electoral Commission, ensuring their decision-making processes are fully transparent and impartial (Czech Republic);

134.18 Strengthen the independence and autonomy of the National Commission on Human Rights, granting it resources so that it can act effectively (Chile);

134.19 Continue its efforts in strengthening the capacities of the Commission of Human Rights by providing it with financial and human resources and expand those efforts through cooperation with the regional organisations and the United Nations institutions (Libya);

134.20 Consolidate the achievements in the field of human rights protection by strengthening the financial resources allocated to the Commission for Human Rights and Good Governance (Senegal);

134.21 Continue its efforts to strengthen the role of national human rights institutions and the implementation of the national plan on human rights (Yemen);

134.22 Continue its efforts to implement the National Human Rights Action Plan (Sudan);

134.23 Seek support from the international community to advance on their efforts to implement the National Human Rights Action Plan (Bhutan);

134.24 Make available adequate resources for awareness-raising and for the implementation of the National Human Rights Action Plan (Uganda);

134.25 Accelerate its efforts towards the implementation of the National Human Rights Action Plan 2013-2017 (State of Palestine);

134.26 Step up efforts to accomplish the National Plan of Action for the Promotion and Protection of human rights (2013-2017) (Equatorial Guinea);

134.27 Ensure the effective implementation of the National Action Plan to strengthen human rights in Tanzania (Libya);

134.28 Ensure the effective implementation of its National Human Rights Action Plan (Mauritius);

134.29 Make further progress in implementing the National Human Rights Action Plan with the full engagement of multiple stakeholders, including civil society (Indonesia);

134.30 Establish an official coordination mechanism about the main human rights benchmarks and indicators in the National Action Plan for Human Rights (Guatemala);

134.31 Continue to allocate sufficient human and financial resources to fully implement its human rights policies and programmes (Philippines);

134.32 Continue the Government's efforts in providing the necessary training to the law enforcement officials in the area of human rights (Egypt);

134.33 Consider extending systematic training on human rights to all police and prison officers (Mauritius);

134.34 Provide international support aimed at improving the situation of human rights (Kuwait);

134.35 Continue reviewing policies for the effective implementation of the Sustainable Development Goals (Pakistan);

134.36 Continue to promote the rights of women and girls, the elderly and children (Pakistan);

134.37 Coordinate closely with civil society, the Commission for Human Rights and Good Governance and other key stakeholders to have a shared view and systematic monitoring of the implementation of universal periodic review recommendations (Switzerland);

134.38 Further consolidate their successful programmes and policies, mainly in the field of economic, social and cultural rights, with emphasis on its sounded educational policy for all (Bolivarian Republic of Venezuela);

134.39 Submit overdue reports to the Human Rights Committee and the Committee on the Rights of Persons with Disabilities (Sierra Leone);

134.40 Take concrete steps to implement the March 2016 recommendations of the Committee on the Elimination of Discrimination against Women (Switzerland);

134.41 Adopt legislative and policy measures to combat all forms of discrimination and violence against women (Italy);

134.42 Continue to take active measures to eliminate gender gaps in human development and gender-based inequalities in reproductive health, empowerment and economic activity (Namibia);

134.43 Continue improving security of citizens and enhancing protection of particularly vulnerable groups such as women and children as well as promoting equality and countering discrimination with a focus on racial or religious discrimination and that of persons with albinism (Ukraine);

134.44 Expedite action taken to modify legislation to promote equality between men, women and children in matters of inheritance and succession (Madagascar);

134.45 Continue to exert concrete efforts to eliminate all forms of discrimination and violence against women and children (Republic of Korea);

134.46 Take concrete measures to eliminate all discrimination against women, protect women from being victimized by domestic violence and promote the participation of women in all aspects of life, including politics, administration and socioeconomic settings (Malaysia);

134.47 Adopt measures of a political and legislative nature, including positive measures in favour of vulnerable groups, in order to protect them from discrimination based on belief and cultural stereotypes (Honduras);

134.48 Enforce fully existing laws prohibiting violence against women and girls, including rape, female genital mutilation, domestic violence and violence against persons believed to be practicing witchcraft (Canada);

134.49 Continue its efforts in addressing the harmful practice of female genital mutilation and ensure that all such cases are promptly investigated and prosecuted and that victims have access to social and medical services (Cyprus);

134.50 Step up efforts to end violence against women and children, and eliminate harmful practices such as female genital mutilation and the killing of women accused of witchcraft (Norway);

134.51 Harmonize national policies with the Convention on the Elimination of All Forms of Discrimination against Women, principally with regard to the elimination of female genital mutilation (Costa Rica);

134.52 Further continue fighting harmful traditional practices such as female genital mutilation and witchcraft-associated killings (Ethiopia);

134.53 Adopt more specific measures to prevent the practice of female genital mutilation (Spain);

134.54 Take steps with regard to children, particularly with regard to sexual exploitation and all forms of discrimination, including children with albinism (Costa Rica);

134.55 Improve the effectiveness of measures to protect vulnerable children against sexual abuse and protect children with albinism (Cabo Verde);

134.56 Draw up and implement, with external assistance, a comprehensive plan to address the problems faced by persons living with albinism, to include: a massive public awareness campaign; free health-care services, including preventive cancer treatment; protection mechanisms; investigation and

prosecution of perpetrators of violence against them and reparation to victims of such attacks (Sierra Leone);

134.57 **Continue to implement strategies to combat child sexual exploitation, including trafficking of children, ensure accountability for the exploitation of children and provide adequate resources for the shelter and rehabilitation of child victims (Malaysia);**

134.58 **Take measures to accelerate the adoption of a national plan of action to combat trafficking in persons, particularly women and children, in order to prevent this crime, rehabilitate victims and prosecute perpetrators (Mexico);**

134.59 **Intensify efforts to prevent and investigate cases of sexual abuse of children, particularly those living on the street, so as to punish the perpetrators, and provide assistance and protection to victims (Mexico);**

134.60 **Take the necessary steps to ensure that all children exposed to sexual exploitation receive protection and assistance (Turkey);**

134.61 **Strengthen efforts to end child, early and forced marriages, especially among girls (Maldives);**

134.62 **Accelerate moves to end child and forced marriage, revise the 1971 Marriage Law Act, tighten legislation and enforcement to protect against female genital mutilation and, in the process, collaborate with civil society organizations at the community level (United Kingdom of Great Britain and Northern Ireland);**

134.63 **Adopt necessary measures to end the practice of forced and early marriage (Argentina);**

134.64 **Make every effort to further strengthen the capacity of law enforcement authorities to combat violence against women and children and to enhance the provision of support by relevant government institutions for victims (Singapore);**

134.65 **Strengthen the Child Labour Monitoring System to ensure that children are withdrawn from the labour market in line with the ILO campaign (South Africa);**

134.66 **Implement fully the National Action Plan for the Elimination of Child Labour (Belgium);**

134.67 **Take all measures in order to ensure the enforcement of the existing labour laws and regulations prohibiting all employment of children under 14 years as well as the employment of children under 18 years in mines, factories and plantations (Belgium);**

134.68 **Step up efforts concerning the eradication of child labour, especially by means of targeted programs, such as income transfer conditional on school attendance (Brazil);**

134.69 **Pursue efforts undertaken in the fight against all forms of violence and discrimination against women, especially female genital mutilation (France);**

134.70 **Enforce laws criminalising gender-based violence and female genital mutilation (Australia);**

134.71 **Increase its efforts in the field of violence and domestic violence against women and children aiming for an eradication of both (Sweden);**

134.72 Protect persons with albinism (Congo);

134.73 Include persons with albinism in decision-making processes concerning their protection and rights (Czech Republic);

134.74 Pursue efforts to guarantee safety to persons with albinism and prevent their stigmatization and discrimination, including the implementation of programmes to sensitize the public opinion (France);

134.75 Ensure the effectiveness of temporary protection centres for children with albinism throughout the country (Gabon);

134.76 Intensify education and awareness-raising campaigns to prevent stigmatization and discrimination of people living with albinism (Germany);

134.77 Improve the infrastructures for the shelters accommodating persons with albinism by providing them with access to drinking water, locked doors, adequate light and safety (Haiti);

134.78 Protect the group of persons with albinism to prevent murders and mutilations through the starting of an education and awareness-raising campaign to prevent their stigmatization, guarantee their safety and facilitate access to education and employment (Honduras);

134.79 Take immediate steps to change attitudes towards children with albinism and ensure protection of their human rights (Maldives);

134.80 Strengthen the measures to ensure the protection of people with albinism, including by expediting the investigation and prosecution of all cases and effectively fighting impunity (Slovenia);

134.81 Monitor the effectiveness of the protection available to persons with albinism and ensure accountability for all acts of violence against persons with albinism (Czech Republic);

134.82 Continue to prioritise investigation and prosecution of cases where persons with albinism are the victims (South Africa);

134.83 Strengthen the protection of persons with albinism by specifically prohibiting and criminalizing all forms of violence against them (Uganda);

134.84 Fully investigate abuses against persons with albinism and ensure that those responsible for crimes are prosecuted (United States of America);

134.85 Adopt immediate measures to put an end to the belief that witchcraft is connected to albinism, with a view to ending the killing or maiming of children born with this condition (Uruguay);

134.86 Establish an express prohibition on traditional practices and rituals that put at risk the physical integrity of persons, in particular persons living with albinism (Argentina);

134.87 Step up efforts to combat killings of people with albinism, particularly children, including through strengthening laws and awareness-raising campaigns on rights of people with albinism (Botswana);

134.88 Continue to strengthen policies and programmes aimed at enhancing access to justice and redress concerning violations of the rights of persons in vulnerable situations, including persons with albinism (Brazil);

134.89 Strengthen the efforts of reforming the punitive system, including the development of the prison and detention conditions (Egypt);

134.90 **Strengthen accountability measures for law enforcement officers and continue to improve living conditions in prisons (South Africa);**

134.91 **Take necessary measures to improve the functioning of justice as a whole, especially regarding access to justice and the right to a fair trial, and pursue the implementation of the five-year strategy for the gradual reform of minors' justice (France);**

134.92 **Increase significantly the human and material resources to ensure access to justice in rural areas (Spain);**

134.93 **Adopt measures that are more adapted to children in the judicial system (Algeria);**

134.94 **Enforce the implementation of the National Prison Policy at all levels and work towards establishing more juvenile courts and juvenile retention homes, especially on Zanzibar (Austria);**

134.95 **Investigate promptly all attacks against journalists and ensure justice and adequate redress for the victims (Latvia);**

134.96 **Address concerns related to claims of interference with freedom of expression (Australia);**

134.97 **Guarantee fully the rights to freedom of assembly and association and ensure that the alleged perpetrators of human rights violations in this context are brought to justice (Switzerland);**

134.98 **Create and maintain a safe and enabling environment where members of all political parties and civil society organizations can exercise their rights, including to freedom of assembly, in a manner which allows legitimate and peaceful dissent (Ireland);**

134.99 **Respect and guarantee the universal right of its citizens in Zanzibar to elect their government through genuinely free and fair elections (United States of America);**

134.100 **Continue to implement measures to promote women's participation in society (Japan);**

134.101 **Plan at the regional and national levels for an increase in population through its inclusion into economic, social and political strategies, in consultation with all stakeholders (Haiti);**

134.102 **Take steps to clarify land rights and the land use situation, taking into consideration all stakeholders that are affected by the decision-making related to land ownership and use (Finland);**

134.103 **Facilitate access to education and land rights, in particular for women and people in rural areas (Haiti);**

134.104 **Improve access to safe drinking water and adequate sanitation facilities (Maldives);**

134.105 **Accelerate ongoing efforts to ensure access to clean and safe water, and to health care, countrywide (Zimbabwe);**

134.106 **Take the measures necessary to protect the rights of children deprived of a family environment and strengthen support to biological families to prevent out-of-home placements (Bangladesh);**

134.107 Accelerate the reduction of preventable maternal, newborn and child mortality in the country (South Africa);

134.108 Implement effective measures to prevent and reduce infant and neonatal mortality in the context of the 2016-2020 road map (Angola);

134.109 Apply, in conformity with the policy of education and training adopted in 2014, legal and administrative measures in favour of the "education for all system" (Equatorial Guinea);

134.110 Maintain, and if possible increase, the levels of investment in education for all (Portugal);

134.111 Continue its efforts to improve the physical environment of schools, including by ensuring appropriate water and sanitation facilities, and to ensure the full enrollment of all children in education (State of Palestine);

134.112 Continue to implement the Education Strategy of 2012-2017 (Sudan);

134.113 Step up efforts to implement the strategy to ensure that education is provided to all segments of the population (Tajikistan);

134.114 Improve children's access to education (Algeria);

134.115 Allocates sufficient resources to improve the geographic accessibility of schools (Bangladesh);

134.116 Continue its development of education to achieve a higher primary school enrolment (China);

134.117 Take robust measures to promote general quality education and to effectively safeguard the rights of women and girls (China);

134.118 Improve access to education for children with disabilities (Congo);

134.119 Follow up legislative measures adopted in favour of the rights of persons with disabilities (Equatorial Guinea);

134.120 Continue to prioritize the implementation of national legislation and policies to ensure that children with disabilities have access to education and that the education system is responsive to the needs of children with disabilities (Singapore);

134.121 Continue efforts towards achieving the development goals in accordance with Tanzania's specific vision (Oman);

134.122 Continue to promote women's rights and integrate the gender dimension in economic and social development programmes (Senegal);

134.123 Combat tax evasion and strengthen the tax collection system in order to fund development projects and improve the delivery of services (Cuba);

134.124 Implement the National Development Vision 2025 and the national strategies for growth and reduction of poverty (Cuba);

134.125 Promote strategies for climate change mitigation and adaptation to their effects, and disseminate them through school programmes (Haiti);

134.126 Make efforts to combat corruption (Kuwait);

134.127 Further enhance efforts to combat corruption, which affects all areas of society and hinders individual and national development (Ethiopia);

134.128 Finalize the development of the third National Anti-Corruption Strategic Action Plan and strengthen the scope of action of the Prevention and Combating of Corruption Bureau (Morocco);

134.129 Continue with its efforts to tackle corruption and to expedite the establishment of a High Court to deal with serious corruption cases (Bhutan).

135. The following recommendation enjoys the support of the United Republic of Tanzania, which considers the recommendation to be already implemented:

135.1 Ratify the Rome Statute of the International Criminal Court (Latvia).

136. Responses to the following recommendations will be provided by the United Republic of Tanzania in due time, but no later than at the thirty-third session of the Human Rights Council, in September 2016:

136.1 Ensure the full compliance of the Media Service Bill of 2015 with the right to freedom of expression as guaranteed under the International Covenant on Civil and Political Rights and that its provisions facilitate the work of an independent and pluralistic media, including citizen journalists (Czech Republic);

136.2 Adopt and implement, through an inclusive process, a revised Access to Information Act and Media Service Bill in line with international human rights law and standards (Denmark);

136.3 Implement the provisions in the African Union's Maputo Protocol into its national legislation, including those on women's rights to medical abortion in cases of sexual assault, rape, incest and where the life of the mother or the foetus is in danger (Norway);

136.4 Ensure compliance of legislation with its international human rights obligations by, inter alia, reviewing the Cybercrimes Act and the Statistics Act (Germany);

136.5 Amend all laws infringing on press freedom, in particular the Statistics Act and the Cybercrimes Act (Belgium);

136.6 Amend the recently adopted cybercrimes legislation to make sure it does not infringe human rights and redraft the Access to Information Bill and the Media Service Bill of 2015 in line with international human rights law and the highest human rights standards (Sweden);

136.7 Ensure that the legal framework and enforcement of laws, including the Cybercrimes Act and other laws affecting members of the media, are fully consistent with the human rights and fundamental freedoms in Tanzania's Constitution and the Universal Declaration of Human Rights (United States of America);

136.8 Undertake a thorough review with key stakeholders and civil society of its existing Cybercrime and Statistic Acts and proposed Media Services and Access to Information bills, to meet human rights obligations (United Kingdom of Great Britain and Northern Ireland);

136.9 Amend the 2002 Law on Alternative Medicine in order to prevent healers from harming persons with albinism (Spain);

136.10 Set the minimum age for marriage and voting to 18 years for both genders without preference (Haiti);

136.11 **Review legislation with the view of establishing a minimum marriage age at 18 years for both boys and girls, as set out under the Convention on the Rights of the Child (Panama);**

136.12 **Amend the Law of Marriage Act of 1971 and increase the minimum marital age for girls, as well as prevent child, early and forced marriage (Poland);**

136.13 **Consider adapting the Marriage Act of 1971 and set a minimum marriage age at 18 years for boys and girls according to international standards (Austria);**

136.14 **Provide birth registration and issue birth certificates free of charge for all children under 5 years of age in order to reach universal coverage and increase public awareness of the importance of birth registration (Poland);**

136.15 **Accelerate efforts regarding birth registration, while ensuring the free issuance of birth certificates to all children (Turkey);**

136.16 **Raise the age of marriage for girls to 18 (Sierra Leone);**

136.17 **Raise the minimum age for marriage to comply with international child rights standards to prevent child, early and forced marriage (Australia);**

136.18 **Set the minimum age of marriage at 18 for men and women alike and develop a national action plan to prevent and address the consequences of child marriage (Slovenia);**

136.19 **Prevent child marriage by increasing the minimum age of marriage to 18 for girls so as to have the same age restriction for both genders (Botswana);**

136.20 **Prevent and bring to justice those responsible for the practice of child early and forced marriage by amending the 1971 Law of Marriage Act to set the minimum age of marriage at 18 for both boys and girls without exception and make it consistent with the 2009 Law of the Child Act, which defines a child as anyone under 18 (Canada);**

136.21 **Prohibit all forms of corporal punishment (Sweden);**

136.22 **Provide financial and structural support to civil society organisations to conduct awareness-raising campaigns against the discrimination of persons with albinism (Haiti);**

136.23 **Deepen cooperation with all stakeholders to fight discrimination and violence against persons with albinism, in particular with the Independent Expert on the enjoyment of human rights by persons with albinism, in full respect of the independence of her mandate (Portugal);**

136.24 **Guarantee freedom of expression and association through amending the media laws (that is the Cybercrimes Act, the Statistics Act, both of 2015, and the Newspaper Act of 1976) and ensure a conducive environment for civil society organizations, human rights defenders and media to operate freely in accordance with the Constitution of the United Republic of Tanzania and the United Nations declaration on human rights defenders (Netherlands);**

136.25 **Play an active role to ensure inclusive and legitimate democracy in Zanzibar by supporting a reconciliation process in Zanzibar that leads to a truly representative government of national unity, as required by the Constitution of Zanzibar (Netherlands).**

137. The recommendations below did not enjoy the support of the United Republic of Tanzania:

137.1 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Costa Rica);

137.2 Ratify the Convention against Torture and the Optional Protocol thereto (Czech Republic);

137.3 Ratify the Convention against Torture and its Optional Protocol (Slovenia);

137.4 Ratify the Convention against Torture and its Optional Protocol (Uruguay);

137.5 Sign and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesia);

137.6 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Cyprus);

137.7 Adhere to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (France);

137.8 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Congo);

137.9 Sign and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Germany);

137.10 Ratify the Convention against Torture (Denmark);

137.11 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Algeria);

137.12 Ratify the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (Austria);

137.13 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol towards the establishment of a national preventive mechanism (Panama);

137.14 Ratify and accede to the Convention against Torture, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance (Sierra Leone);

137.15 Ratify the Convention against Torture, the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Cabo Verde);

137.16 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol and the International Convention on the Rights of All Migrant Workers and Members of Their Families (Guatemala);

137.17 Take the necessary measures to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance (Madagascar);

137.18 Ratify early the important international human rights treaties, in particular the International Convention for the Protection of All Persons from Enforced Disappearance (Japan);

137.19 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, signed in 2008, without reservations and recognize the competency of the Committee on Enforced Disappearances to receive and examine communications (Panama);

137.20 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention against Torture and its Optional Protocol (Italy);

137.21 Ratify the International Convention for the Protection of All persons from Enforced Disappearance signed in 2008 (France);

137.22 Take all necessary steps to become a State party to the following treaties: the International Convention on the Rights of All Migrant Workers and Members of Their Families; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the International Convention for the Protection of All Persons from Enforced Disappearance (Ghana);

137.23 Ratify the International Convention on the Rights of All Migrant Workers and Members of Their Families (Honduras);

137.24 Continue in its efforts to accede to the International Convention on the Rights of All Migrant Workers and Members of Their Families (Indonesia);

137.25 Ratify ILO Convention No. 169 (Norway);

137.26 Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights with a view to abolishing the death penalty and establish an official moratorium on the death penalty (Namibia);

137.27 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, declare an official moratorium on the death penalty and abolish it (Uruguay);

137.28 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Belgium);

137.29 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);

137.30 Establish a formal moratorium with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);

137.31 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Norway);

137.32 Move towards the de jure abolition of capital punishment (Spain);

137.33 Strengthen the legal protection of individuals belonging to groups in the most vulnerable situations — persons living with albinism; lesbian, gay, bisexual, transgender and intersex persons; elderly women; pastoralists and hunter-gatherers and communities with specific needs; and people with disabilities — in comprehensive anti-discrimination legislation (Sweden);

137.34 **Adopt specific legislation to ensure equality of women in the family and in social, economic and political spheres (Spain);**

137.35 **Enact a non-discriminatory law on succession, inheritance and land-rights issues (Norway);**

137.36 **Expedite the adoption and implementation of laws to counter all forms of violence against women and girls, including marital rape and female genital mutilation (Denmark);**

137.37 **Promote initiatives such as legislation for preventing domestic violence and marital rape (Japan);**

137.38 **Criminalize marital rape and sexual violence (Slovenia);**

137.39 **Criminalize marital rape and domestic violence and sufficiently staff and equip gender desks in police stations to ensure the proper reporting and investigation of incidences of violence (Latvia);**

137.40 **Ensure amendment of the relevant laws to adequately address issues of domestic violence and spousal abuse and to ensure prosecution of all alleged perpetrators (Uganda);**

137.41 **Enact a comprehensive anti-discrimination law designed to prevent, combat and punish all forms of violence against women and girls, including domestic and sexual violence, and discriminatory infringements of the right to education (Germany);**

137.42 **Eliminate the criminalization of homosexuality and adopt urgent measures to amend the Criminal Code to this effect (Uruguay);**

137.43 **Take urgent steps to amend the penal code and eliminate the criminalization of consensual sexual relations between adults of the same sex (Chile);**

137.44 **Effectively implement the National Human Rights Action Plan and publicly call for an end to attacks, abuse and discrimination against persons with disabilities, persons with albinism, lesbian, gay, bisexual, transgender and intersex persons and people living with, at risk of and affected by HIV/AIDS (Canada);**

137.45 **Establish a national intergovernmental independent mechanism responsible for monitoring public policies in the field of human rights (Morocco);**

137.46 **Widen the social welfare domain and make it available to its beneficiaries (Egypt);**

137.47 **Respond positively to all outstanding requests of special procedures and extend a standing invitation to all special procedure mandate holders (Latvia);**

137.48 **Consider issuing a standing invitation to the special procedures (Ukraine);**

137.49 **Extend a standing and open invitation to the special procedures of the Human Rights Council (Chile);**

137.50 **Extend a standing invitation to the special procedure mandate holders (Madagascar);**

137.51 **Extend a standing invitation to all special procedures (Republic of Korea);**

137.52 **Extend a standing invitation to all special procedure mandate holders (Montenegro);**

137.53 **Repeal provisions criminalizing homosexuality, with the aim of fully respecting the principles of equality and non-discrimination (France);**

137.54 **Abolish the death penalty (Costa Rica);**

137.55 **Establish formally a moratorium on the application of the death penalty, as a first step towards its definitive abolition (France);**

137.56 **Establish an official moratorium on the death penalty (Slovenia);**

137.57 **Expedite the proceedings to abolish the death penalty (Togo);**

137.58 **Establish a moratorium on the death penalty with a view to its abolition (Angola);**

137.59 **Consider taking all necessary steps to establish a de jure moratorium on executions with a view to fully abolishing the death penalty (Italy);**

137.60 **Consider taking steps towards the abolishment of the death penalty and ratifying the Convention against Torture, as well as to intensify its efforts to implement the recommendations made during the first universal periodic review process, including ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Mongolia);**

137.61 **Formally abolish the death penalty for all cases and under all circumstances and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Portugal);**

137.62 **Adopt an official moratorium on the death penalty and conduct studies and discussions to consider its abolition (Chile);**

137.63 **Prohibit and characterize domestic violence and marital rape as crimes (Guatemala);**

137.64 **Improve access to justice for victims of intimate partner violence, including by enacting legislation that would recognize and criminalize marital rape, spousal battery and other forms of intimate partner violence (Ireland);**

137.65 **Strengthen efforts to protect the rights of people with albinism and other vulnerable and minority groups (Australia);**

137.66 **Combat impunity for crimes committed against sexual minorities, ensure that their right to assembly and association is upheld and ensure the right to equal treatment in accessing health services and justice (Norway);**

137.67 **Duly safeguard freedom of speech and the right to information in the fight against an emerging brand of criminality in the context of cybercrime through the adoption and implementation of suitable regulations (Portugal);**

137.68 **Take appropriate measures to ensure that civil society, especially human rights defenders, may operate in a safe and enabling environment free from reprisals and to remove restrictions impeding their work, both in law and in practice, including by guaranteeing the rights to freedom of expression, association and assembly in accordance with international human rights standards (Finland);**

137.69 **Increase the measures taken to counter homelessness and the lack of adequate and affordable housing, especially for vulnerable people such as those living in poverty and single mothers (Malaysia);**

137.70 **As previously recommended, promote a legal framework providing legal certainty in the area of property, particularly land tenure and protection against forced evictions, and recognize the rights of indigenous peoples, pastoralists, hunters and gatherers (Mexico);**

137.71 **Provide fairness and swift action in protecting the rights and legitimate interests of indigenous minorities (Cabo Verde);**

137.72 **Ensure, before the next universal periodic review, that asylum seekers and refugees have access to work and freedom of movement (Canada).**

138. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of the United Republic of Tanzania was headed by His Excellency Professor Sifuni E. Mchome, Permanent Secretary at the Ministry of Constitutional and Legal Affairs of the United Republic of Tanzania, and composed of the following members:

- Ambassador Modest J. Mero – Permanent Representative, Tanzania Mission to the United Nations in Geneva
- Ms. Sarah D. Mwaipopo – Director, Division of Constitutional Affairs and Human Rights, Office of the Attorney General, Dar es Salaam
- Mr. Robert K.V.Kahendaguza – Deputy Permanent Representative, Tanzania Mission to the United Nations, Geneva
- Mr. Deusdedit B. Kaganda – Minister Plenipotentiary, Permanent Representative, Tanzania Mission to the United Nations, Geneva
- Ms. Nkasori M. Sarakikya – Assistant Director, Division of Constitutional and Human Rights, Office of the Attorney General, Dar es Salaam
- Mr. Richard J. Kilanga – Senior State Attorney, Division of Constitutional Affairs and Human Rights, Office of the Attorney General, Dar es Salaam
- Ms. Gwantwa E. Mwaisaka – Legal Officer, Ministry of Foreign Affairs, East Africa, Regional and International Cooperation, Dar es Salaam.

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Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Antigua and Barbuda

* The annex is being circulated in the language of submission only.

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-fifth session from 2 to 13 May 2016. The review of Antigua and Barbuda was held at the 12th meeting, on 9 May 2016. The delegation of Antigua and Barbuda was headed by the Parliamentary Secretary within the Ministry of Legal Affairs and Public Safety, Maureen Payne. At its 19th meeting, held on 12 May 2016, the Working Group adopted the report on Antigua and Barbuda.

2. On 12 January 2016, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Antigua and Barbuda: Plurinational State of Bolivia, Kyrgyzstan and Morocco.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Antigua and Barbuda:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/25/ATG/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/25/ATG/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/25/ATG/3).

4. A list of questions prepared in advance by Liechtenstein, Mexico, Slovenia and the United Kingdom of Great Britain and Northern Ireland was transmitted to Antigua and Barbuda through the troika. These questions are available on the extranet of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation recalled that Antigua and Barbuda was a democratic nation governed by law. Its supreme law was the Constitution, which enshrined the fundamental rights and freedoms established in the Universal Declaration of Human Rights. The delegation was ready to welcome the suggestions and recommendations of Member States and to take them on board to improve the human rights record of the islands.

6. The delegation considered that Antigua and Barbuda had achieved some progress in the area of human rights since its first universal periodic review. For instance, a law to protect children and women and a law on juvenile criminal justice had been adopted since 2011. A law to combat violence against women had been passed, and the Government had acceded to the Convention on the Rights of Persons with Disabilities which was in the process of being implemented at the national level. In addition, Parliament had passed a law on childcare and adoption to give the same rights to all children and to provide further safeguards in the adoption process.

7. Antigua and Barbuda was doing all in its power to uphold its international obligations and human rights standards. At the same time, the delegation reminded the Working Group that the country was a small island developing State, with only 85,000 inhabitants and limited resources.

B. Interactive dialogue and responses by the State under review

8. During the interactive dialogue, 44 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

9. The Bolivarian Republic of Venezuela emphasized the efforts made by Antigua and Barbuda in promoting and protecting human rights. In the field of education, the Bolivarian Republic of Venezuela noted positively the compulsory school attendance for children between 5 and 16 years of age and the free primary and secondary education. It appreciated the creation of the national committee for health promotion, as well as the progress achieved by the gender affairs department in regard to combating domestic violence and human trafficking through the establishment of awareness-raising and victim support programmes. The Bolivarian Republic of Venezuela made recommendations.

10. Algeria applauded the measures taken by Antigua and Barbuda in support of human rights, including the amendments made to the laws on human trafficking and on preventing the trafficking of migrants. It also welcomed the November 2015 adoption by both chambers of the Parliament of a number of laws on children and the family. Algeria made recommendations.

11. Argentina welcomed the delegation of Antigua and Barbuda and thanked it for its presentation of the national report. Argentina congratulated Antigua and Barbuda on its ratification of the Convention on the Rights of Persons with Disabilities. Argentina made recommendations.

12. Australia welcomed the engagement of Antigua and Barbuda in the universal periodic review process, particularly given its status as a small island developing State. It commended Antigua and Barbuda for its ratification in 2016 of the Convention on the Rights of Persons with Disabilities. It noted that no executions had taken place in Antigua and Barbuda since 1991, which, in practice, had established a moratorium on the death penalty. Australia remained concerned that violence and discrimination against lesbian, gay, bisexual, transgender and intersex persons had not been addressed, and that prison conditions in Antigua and Barbuda were worsening, owing to overcrowding, inadequate food and hygiene, and gang violence, among other factors. Australia urged Antigua and Barbuda to take action to improve prison conditions, including by addressing the backlog of criminal cases. Australia made recommendations.

13. The Bahamas noted with satisfaction the considerable strides made by Antigua and Barbuda in promoting and protecting human rights. Particularly commendable were the recent legislative reforms enacted by virtue of the Trafficking in Persons (Prevention) (Amendment) Act, the Migrant Smuggling (Prevention) (Amendment) Act, the Defamation Act and the Immigration and Passport (Amendment) Act. It also welcomed the passage by the upper and lower houses of Parliament of a new domestic violence bill that broadened the definitions of the domestic relationship and domestic violence, enhanced the protections for victims and children and protected against newer forms of harassment such as cyberstalking. The Bahamas made recommendations.

14. Barbados commended Antigua and Barbuda for acceding to the Convention on the Rights of Persons with Disabilities and urged the country to continue collaborating with all stakeholders in drafting a national policy for persons with disabilities. Barbados also commended Antigua and Barbuda for the efforts it had made to improve the protection of children, as well as the quality of life of its citizens through social programmes and policies to reduce poverty and to assist the elderly and through the provision of adequate health care.

15. Canada welcomed the delegation of Antigua and Barbuda and thanked it for its presentation of the national report. Canada commended Antigua and Barbuda for its

adoption of a national action plan for 2013-2018 to end gender-based violence and encouraged the Government to ensure its full implementation. Canada made recommendations.

16. Chile welcomed the delegation of Antigua and Barbuda and thanked it for its presentation of the national report. Chile also welcomed the institutional and legal progress made in the field of human rights, particularly through the ratification of the Convention on the Rights of Persons with Disabilities, the elimination of the crime of defamation and the recent adoption of a number of laws on juvenile justice and domestic violence. Chile made recommendations.

17. China noted with appreciation that Antigua and Barbuda had ratified the Convention on the Rights of Persons with Disabilities, had promoted inclusive education and had worked to meet the specific needs of persons with disabilities. Antigua and Barbuda had adopted policies and measures to bring about economic and social development and had promoted a poverty alleviation programme and the People's Benefit Programme. The country was working to improve living standards for its people. China made recommendations.

18. Colombia thanked Antigua and Barbuda for the comprehensive information provided on the human rights situation in the country, and highlighted the commitment to implementing the recommendations received during the first universal periodic review and in particular the efforts that had been made regarding children's rights and in countering poverty. Colombia made recommendations.

19. Costa Rica noted with satisfaction the cooperation of Antigua and Barbuda with the universal system of human rights, as well as its ratification of the Convention on the Rights of Persons with Disabilities. Costa Rica expressed concern at the serious delays in the legal system in dealing with criminal cases. While noting with satisfaction the broad participation of women in the civil service and in decision-making at the electoral level, Costa Rica noted that women were still underrepresented in leadership and decision-making in general. Costa Rica was also concerned at reports of high rates of domestic violence. Costa Rica made recommendations.

20. Cuba highlighted advances such as amendments to the Trafficking in Persons (Prevention) Act and the Migrant Smuggling (Prevention) Act. It underscored the adoption of the Defamation Act in 2015 and of laws approved by Parliament in November 2015 relating to children and families. Social programmes implemented by PDV Caribe had contributed to a better enjoyment of economic, social and cultural rights for the population of Antigua and Barbuda. Cuba called upon the international community to provide the resources and technical assistance required by Antigua and Barbuda. Cuba made recommendations.

21. Antigua and Barbuda thanked the delegations that had put forward recommendations regarding child rights and the combating of violence against children and women, issues that would be taken on board seriously by the Government.

22. Regarding overcrowding in prisons, the delegation recognized that this was a serious problem. Antigua and Barbuda had only one prison, which had been built in 1735 to accommodate 150 inmates. The Government was trying to address overcrowding in two ways. First, it had studied the situation of long-term prisoners, and subject to certain terms and conditions, some prisoners had received a pardon. Second, the Government was beginning to implement the Convicts' Licences Act, under which some prisoners — depending on the crime they had committed, their conduct, the sentence they had received and the length of time they had served — were released under a convict's licence (on parole, in other legal systems). Additionally, the Government was looking at providing alternative accommodation for inmates, so that remand prisoners could be separated from

persons serving their sentences. The delegation considered that, ideally, Antigua and Barbuda needed another penal institution, which could be focused on young people up to the age of 25.

23. Regarding the position of women in politics, the delegation noted that many Caribbean countries were trying to encourage and empower women to participate in politics, even though campaigning could be brutal which could act as a deterrent.

24. Denmark commended Antigua and Barbuda for its constructive engagement with the universal periodic review process and for having demonstrated progress in the protection and promotion of human rights since its last review. Denmark hoped that concrete measures were being taken by Antigua and Barbuda to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and asked the delegation to elaborate on steps taken. Denmark also emphasized that the Convention against Torture Initiative stood ready to explore avenues to assist Antigua and Barbuda in advancing on the issue if that were deemed to be helpful. Denmark made recommendations.

25. Ecuador welcomed efforts directed towards compliance with the recommendations received in the first review in 2011, particularly the amendments in 2015 to the Trafficking in Persons (Prevention) Act and the Migrant Smuggling (Prevention) Act. Ecuador welcomed the work carried out in coordination with civil society on programmes to guarantee the rights of persons with disabilities, and the care taken in providing for the special needs of that group, through the provision of technical assistance, equipment and medical treatment. Ecuador made recommendations.

26. Egypt noted the importance that the Government of Antigua and Barbuda attached to taking positive measures to improve the human rights situation in the country, particularly through the adoption of the national action plan for 2013-2018 to put an end to sexual violence. It noted the Trafficking in Persons (Prevention) (Amendment) Act 2015 and the Migrant Smuggling (Prevention) (Amendment) Act 2015. It also highlighted the effective measures taken to include all children in the education system and the efforts to take legal measures to protect children and adults. It welcomed national efforts to combat poverty through specific programmes. Egypt made recommendations.

27. France welcomed the delegation of Antigua and Barbuda and made recommendations.

28. Germany welcomed the delegation of Antigua and Barbuda and thanked it for its presentation of the national report. Germany commended the achievements of Antigua and Barbuda in the area of human rights, and particularly welcomed the passing of the Domestic Violence Bill and the Child Justice Bill in 2015. Germany remained concerned about the low age of criminal responsibility and regretted that Antigua and Barbuda continued to have a place in law for the death penalty. Germany stated that equality and non-discrimination were crucial to a democratic society and that the criminalization of lesbian, gay, bisexual, transgender and intersex persons constrained their chances of reporting cases of discrimination and violence. Germany made recommendations.

29. Ghana noted the amendments to the Trafficking in Persons (Prevention) Act, the Migrant Smuggling (Prevention) Act and the Immigration and Passport Act and hoped that these would strengthen the legal framework and address existing gaps in the promotion and protection of human rights in Antigua and Barbuda. It also noted that Antigua and Barbuda had yet to ratify a number of core international human rights treaties, despite having accepted to do so during the first review. It urged Antigua and Barbuda to seek appropriate technical assistance, including from OHCHR, to uphold its international human rights obligations. Ghana made recommendations.

30. Guatemala noted the steps that had been taken to promote, protect and respect the fundamental human rights of all persons. It was pleased that Antigua and Barbuda had ratified the Convention on the Rights of Persons with Disabilities and acknowledged the commitment to promoting gender equality and women's participation in the political, economic and social life of the country. Guatemala made recommendations.

31. Honduras was pleased at the ratification of the Convention on the Rights of Persons with Disabilities. It acknowledged the commitment of the Government to promote gender equality and the full participation of women in the political, economic and social life of the country. Honduras made recommendations.

32. Indonesia thanked Antigua and Barbuda for its presentation of the national report on the efforts made in the field of human rights since the first review. Indonesia commended the efforts made by Antigua and Barbuda to enact and amend several laws to better promote and protect human rights in the country and to fulfil its international human rights obligations. Indonesia also appreciated the establishment of several institutions to support the implementation of international human rights instruments, such as the Office of the Ombudsman and the Office of the Information Commissioner. Indonesia made recommendations.

33. Italy commended Antigua and Barbuda for the steps taken since the first review in enhancing the protection of human rights. It particularly welcomed the recent ratification of the Convention on the Rights of Persons with Disabilities, the commitment to alleviate and eradicate poverty, and the attention devoted to women's rights and gender equality, for example with the creation of the gender affairs department. Italy noted positively the legislative measures taken to enhance the protection of the rights of the child and congratulated Antigua and Barbuda on steps taken in combating human trafficking. Italy made recommendations.

34. Jamaica commended Antigua and Barbuda for its commitment to improving the quality of life of its citizens, through legislative reform and programmes directed at increasing socioeconomic advancement. It particularly commended the passage in 2015 of a suite of laws relating to children and families, and of the Defamation Act and the amendment to the Trafficking in Persons (Prevention) Act. Jamaica also commended Antigua and Barbuda for placing children with visual disabilities in the mainstream educational system from preschool age, for setting up the multi-stakeholder National Wellness Committee and for its commitment to several socioeconomic programmes implemented under the umbrella of PDV Caribe, part of the Petrocaribe Initiative. Jamaica made recommendations.

35. Malaysia noted that Antigua and Barbuda had taken numerous initiatives to improve the promotion and protection of human rights in the country. It welcomed the accession to the Convention on the Rights of Persons with Disabilities and noted the new laws focusing on the protection of children's rights. It also noted the efforts that Antigua and Barbuda had made towards eradicating poverty by providing financial assistance and implementing social programmes to improve access to basic needs for persons living in vulnerable situations. Malaysia made recommendations.

36. The delegation of Antigua and Barbuda responded to questions put forward during the interactive dialogue. It considered that the issue of the age of criminal responsibility was a serious one. It added that the legislature had debated the issue but had been unable to change the law because some members considered that it should remain as it was. However, it was expected that civil society organizations would exert pressure for the age of criminal responsibility to be raised.

37. With regard to the death penalty, after listening to many statements, the delegation acknowledged that this was a sensitive issue for the international community. It noted,

however, that, even though the penalty appeared in the Penal Code, nobody had been executed since the 1980s. The delegation expressed its understanding of why it would be important to formally take a step beyond the existing state of affairs.

38. The delegation recognized the importance of having an independent national human rights institution and added that the Government could take on board recommendations in this regard, since Antigua and Barbuda currently lacked an independent institution that could keep the Government on its toes.

39. Regarding lesbian, gay, bisexual, transgender and intersex persons, the delegation considered that changes would take time. However, it stated that such persons were not brutally treated in the Caribbean in general and in Antigua and Barbuda in particular. The Constitution recognized the same rights for all people but it would take time to change personal prejudices, and to sensitize people. The Government was working on this but it was not possible to force such change on the psyche of the people. The delegation recognized the existence of legal provisions considering sexual relations between adults of the same sex as a crime, but no one was prosecuted under them. The delegation considered that that law was only used against adults who had molested children. The delegation recalled that those provisions had been inherited but recognized that they had to change at some point if the Government was serious about human rights.

40. Regarding sexual abuse within marriage, mentioned during the interactive dialogue, Antigua and Barbuda stated that the law covered any form of violence in a couple, so it was up to the wife to press charges if she wished to and the law was there to assist her. The delegation added that the gender affairs department had been very helpful and supportive in dealing with migrant workers and women who had been trafficked, and that officers were provided with relevant training on an ongoing basis.

41. On torture, the delegation considered that this was not a recurrent matter in the islands but that the Government could consider the possibility of signing the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The delegation reiterated that the Government was aware of the problems pertaining to the prison and stated that it would accept the recommendations to request technical assistance to solve them.

42. Maldives took positive note of the national report and the implementation of the recommendations that Antigua and Barbuda had received during the first cycle. It appreciated the measures taken in the country's laws, relating to children and families, that had been passed by Parliament in November 2015. It also strongly supported the country's Education Act, which specified that children were required to attend school between the ages of 5 and 16. Maldives encouraged Antigua and Barbuda to reach out to its international partners, including OHCHR, for assistance with the promotion and protection of human rights in the country. Maldives made recommendations.

43. Mexico acknowledged the reform of the juvenile justice system and urged the Government to ensure its full implementation. Mexico welcomed the ratification of the Convention on the Rights of Persons with Disabilities and invited the country to harmonize its legislation in accordance with the Convention. Mexico noted the adoption of the law to prevent trafficking in persons as well as the enhanced measures to combat that crime. Mexico called upon Antigua and Barbuda to work to reduce the high rate of teenage pregnancies and HIV prevalence and to guarantee access to social and health services for all, including vulnerable persons and persons from the lesbian, gay, bisexual, transgender and intersex community. Mexico made recommendations.

44. Montenegro welcomed the recent ratification of the Convention on the Rights of Persons with Disabilities and noted that there were a number of international human rights treaties and their optional protocols to which Antigua and Barbuda was not a party.

Montenegro enquired whether the Government had initiated accession procedures or planned to ratify any of them. Montenegro encouraged the Government to seek technical assistance from OHCHR to improve its efforts to meet its international human rights obligations. Montenegro welcomed the Government's efforts to create an inclusive education system, particularly in regard to children with disabilities. Montenegro enquired whether the Government intended to adopt specific laws and regulations to protect those with special needs or to facilitate their integration into society. Montenegro made recommendations.

45. Morocco welcomed the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities. Morocco noted with satisfaction the measures taken by Antigua and Barbuda to combat poverty, human trafficking and gender discrimination. It also noted with satisfaction the adoption of laws related to children and families. Morocco made recommendations.

46. Namibia commended Antigua and Barbuda on the ratification of the Convention on the Rights of Persons with Disabilities and noted the adoption in 2015 of the Children (Care and Adoption) Act and the Status of Children Act. It was pleased to note the various initiatives put in place to alleviate poverty, including the efforts made to enhance the social protection schemes in Antigua and Barbuda. While it was pleased to note that there had been a de facto moratorium on the death penalty for 24 years, it expressed concern about the frequent calls for its full reinstatement in Antigua and Barbuda. Namibia made recommendations.

47. The Netherlands noted that Antigua and Barbuda had stated in its report that lesbian, gay, bisexual, transgender and intersex persons were generally not discriminated against. It remained concerned, however, about the full rights of such persons, in particular of those from the lower economic bracket. It noted the explanations given by the Government. In view of recent calls from society in Antigua and Barbuda for a full reinstatement of the death penalty, the Netherlands asked the Government to address this negative trend. The Netherlands made recommendations.

48. Nicaragua congratulated Antigua and Barbuda on the progress achieved since its first review, highlighting the reforms and institutional and legal improvements that had been designed to better the human rights of its population, particularly its children, adolescents and persons with disabilities. Nicaragua welcomed the approval in 2015 of the Child Justice Bill and the Children (Care and Adoption) Bill. Nicaragua welcomed the strengthening of legislation for the prevention of human trafficking and of the illicit trafficking of migrants. Nicaragua congratulated Antigua and Barbuda on ratifying the Convention on the Rights of Persons with Disabilities. Nicaragua made recommendations.

49. Pakistan noted with appreciation the steps taken in the last four years to promote and protect human rights. Pakistan found it encouraging to note that Antigua and Barbuda had made concerted efforts to implement the majority of the recommendations received during the first cycle of the universal periodic review. It commended the ongoing national legislation, as well as the ratification of human rights instruments. Pakistan believed that the Trafficking in Persons (Prevention) (Amendment) Act, the Migrant Smuggling (Prevention) (Amendment) Act, the Child Justice Bill and the Domestic Violence Bill, of 2015, among others, would further contribute to the promotion and protection of human rights in the country. Pakistan made recommendations.

50. Panama praised the ratification of the Convention on the Rights of Persons with Disabilities, the adoption of health and education policies for this group of the population, and the strengthening of measures to prevent trafficking in persons and the smuggling of

migrants. Panama also acknowledged the adoption of the laws on children and domestic violence, as well as the implementation of various social programmes aimed at reducing poverty. However, it was concerned that gender-based violence remained a serious and widespread problem. Panama made recommendations.

51. Paraguay welcomed the progress made in 2015 in the field of child rights, especially in relation to childcare, domestic violence and juvenile justice. It also highlighted the decriminalization of slander, the gender mainstreaming carried out by the gender affairs department of the Ministry of Social Transformation and the ratification of the Convention on the Rights of Persons with Disabilities. Paraguay urged the Government to continue its efforts to ensure the exercise of the rights of migrants, to eliminate trafficking and to address overcrowding in prisons. Paraguay made recommendations.

52. The delegation responded to the statement by the Netherlands about calls by some politicians for the death penalty to be brought back into use. It considered that the society of Antigua and Barbuda was not yet ready to take a quantum leap and remove the death penalty from its legislation. The fact that it was on the statute books had given some sort of security to the population. But the delegation recalled, once again, that the death penalty had not been implemented in decades.

53. A similar situation applied to issues pertaining to lesbian, gay, bisexual, transgender and intersex persons. The delegation considered that it would take time to sensitize Antiguan society, which was very moral and religious. The delegation added that if the Government were to force these issues, the reaction from society would be negative and regressive.

54. On family matters, the delegation noted that the Government was in the process of setting up a family court, as part of an Organisation of Eastern Caribbean States project.

55. Portugal congratulated Antigua and Barbuda on approving the Child Justice Bill, which was aimed at improving the situation of juveniles in conflict with the law. Portugal expressed concern both at the fact that detained juveniles were still not held separately from adults and at the overcrowding in prisons. Portugal commended the country's efforts in tackling domestic and sexual violence and welcomed the adoption of the new Domestic Violence Bill and the national action plan for the period 2013-2018 to end gender-based violence. It was concerned that the Sexual Offences Act did not recognize rape within marriage in all circumstances. Portugal made recommendations.

56. Sierra Leone appreciated the efforts made since the last review. It noted with interest the de facto moratorium on the death penalty and expressed hope that the Government would again consider abolishing the death penalty. It also noted the adoption of the national action plan to end gender-based violence. In order to protect against trafficking in persons, Sierra Leone urged the Government to establish a legislative framework on refugee protection and asylum. It encouraged Antigua and Barbuda to ratify the Indigenous and Tribal Peoples Convention, 1989 (No. 169) and Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization and to accede to the Convention on the Reduction of Statelessness. It stated that the Government should consider abolishing corporal punishment as a sentence and should take more effective steps to combat domestic violence as well as child sexual abuse. Engaging with OHCHR and other relevant United Nations organizations would be crucial in order for Antigua and Barbuda to be able to submit its reports to the relevant treaty bodies in a timely manner. Sierra Leone made recommendations.

57. Slovenia welcomed positive developments such as the decriminalization of libel, the abolition of legal distinctions between children based on their parents' marital status, the adoption of a national action plan to end gender-based violence and the organization of campaigns to raise awareness about violence against women. It commended Antigua and

Barbuda for having ratified the Convention on the Rights of Persons with Disabilities, in line with the recommendation to that effect that Slovenia had previously made. It noted there was no systemized approach to implementing the country's human rights obligations and commitments, no gender policy and no policy against child sexual abuse. It regretted that the Sexual Offences Act of 1995 criminalized sexual relations between consenting adults of the same sex, but did not acknowledge marital rape. Slovenia made recommendations.

58. South Africa recognized that, despite the constraints faced, Antigua and Barbuda had registered a number of notable achievements, including the implementation of policies and plans for social and economic development and the alleviation of poverty. It noted that Antigua and Barbuda had been ranked favourably in the Human Development Index and welcomed the country's efforts in launching the International Decade for People of African Descent. It encouraged Antigua and Barbuda to continue all efforts to promote, protect and fulfil all human rights, including the right to development. South Africa made recommendations.

59. Spain congratulated Antigua and Barbuda on its recent ratification of the Convention on the Rights of Persons with Disabilities and encouraged it to continue in that vein. Spain considered respect for the principle of non-discrimination on the grounds of sexual orientation as essential. Spain made recommendations.

60. Trinidad and Tobago noted the progress made by Antigua and Barbuda since the first universal periodic review cycle. Trinidad and Tobago congratulated the Government on ratifying the Convention on the Rights of Persons with Disabilities, and on its efforts to mainstream the differently abled in the education system and to provide the necessary support in the areas of mobility and transportation. Trinidad and Tobago applauded the improvement of health services for the population and recognized the need for Antigua and Barbuda to bolster its legislation on trafficking in persons and children. Trinidad and Tobago made a recommendation.

61. The United Kingdom of Great Britain and Northern Ireland thanked the delegation for responding to the questions submitted in advance. It welcomed the engagement of Antigua and Barbuda with the universal periodic review process. It acknowledged the Government's commitment to human rights and the progress made in spite of the challenges that small island developing States faced in implementing their international human rights obligations. It welcomed the steps that had been taken to address the issue of sexual violence and encouraged the Government to seek ways to increase the number of cases that were successfully prosecuted. The United Kingdom made recommendations.

62. The United States of America noted the efforts of Antigua and Barbuda to eliminate violence and discrimination against persons with HIV/AIDS, especially among the police forces. It recognized administrative efforts to provide prisoners with adequate complaint mechanisms but remained concerned about the harsh, overcrowded conditions in Her Majesty's Prison. It also noted the high incidence of violence against women, especially spousal abuse and sexual harassment, and the existence of laws that criminalized same-sex sexual activity between consenting adults. The United States made recommendations.

63. Uruguay welcomed the implementation of social policies to reduce poverty and meet the needs of the most vulnerable groups. Uruguay regretted that no special procedure mandate holder had visited Antigua and Barbuda in recent years and invited the country to request technical assistance to increase its cooperation with the international machinery. Uruguay was concerned that the legal framework authorized the use of corporal punishment and that someone who had committed a crime while under the age of 18 could be sentenced to life imprisonment. Uruguay invited the Government to review this legislation. It encouraged Antigua and Barbuda to adopt a national gender policy and to strengthen

capacities in regard to gender in ministries, departments and agencies. Uruguay made recommendations.

64. Brazil noted with appreciation the ratification of the Convention on the Rights of Persons with Disabilities and encouraged Antigua and Barbuda to take concrete measures towards ratification of its Optional Protocol. Brazil appreciated the fact that Antigua and Barbuda had de facto abolished the death penalty, which had not been applied since 1991, and encouraged the formal abolition of capital punishment. Brazil expressed concerns about the situation of victims of domestic violence in Antigua and Barbuda and encouraged initiatives to prevent and eliminate violence and discrimination against women and girls. Brazil made recommendations.

65. Antigua and Barbuda reiterated that it was aware of the importance that the Working Group attached to abolition of the death penalty, noted that the Eastern Caribbean Supreme Court had not used it for decades and stated that the Government could consider declaring a moratorium, or a similar gesture, in response to the concerns expressed during the review.

66. The delegation also restated its understanding regarding the concerns expressed during the interactive dialogue on the legal ban on consensual sex between adults of the same sex. It added that it understood that, from a human rights perspective, the fact that no one had been prosecuted under those provisions was unsatisfactory. Nevertheless, the delegation expressed its concern that a sudden change on these sensitive matters could generate a counterproductive reaction from public opinion.

67. The Government considered that gender-based violence was a serious issue and that it should be treated along with violent behaviour in general. The gender affairs department regularly went to schools to create awareness of the issue and to show how to resolve disagreements and problems without recourse to violence.

68. With regard to prison overcrowding, the delegation agreed that a new penal facility was urgently needed. In addition to the measures to address overcrowding already described, the delegation stated that the Government was trying to increase the number of prosecutors and judges in order to reduce the time that a detainee had to wait for trial.

69. Corporal punishment of children was another issue that appeared in laws and for which time would be required in order to change the views of Antiguans.

70. The delegation considered that the Government should not have major difficulties in acceding to the International Covenant on Civil and Political Rights and other core human rights treaties. It took the point that the fact that many matters were not a problem in the islands did not mean that Antigua and Barbuda could not become a party to the relevant conventions.

71. The Government was concerned at pregnancy among adolescents, even though the number of teenagers who became pregnant was relatively small. The Government had previously sponsored a programme for girls who had become pregnant to finish school, but it had not been possible to continue with it because of a lack of resources.

72. Responding to concerns raised regarding health care, the delegation stated that Antigua and Barbuda had a relatively new hospital and clinics throughout the country that provided services to those who needed them. Additionally, the Government had started a preventive programme to address the high incidence of diabetes in the islands — a problem that affected the Caribbean region in general.

73. The delegation acknowledged that there were large numbers of migrant workers residing in Antigua and Barbuda from Spanish-speaking countries, in particular from the Dominican Republic. The Government was making efforts to integrate that community and provided it with legal and health services in Spanish.

74. The delegation again addressed the issue of women in decision-making positions and stated that Antigua and Barbuda had women permanent secretaries and Crown counsel. The delegation considered that the participation of women in elected positions could take some time, though it stressed that there were two women in Parliament and that the President of the Senate was a woman. This was an ongoing process but Antigua and Barbuda was on the right track.

75. The delegation thanked the Working Group for all the recommendations that it had received. They were very helpful and would be carefully considered by the Government, which was committed to human rights.

II. Conclusions and/or recommendations**

76. **The recommendations formulated during the interactive dialogue/listed below have been examined by Antigua and Barbuda and enjoy the support of Antigua and Barbuda:**

76.1 **Seek and avail itself of technical assistance opportunities for training of personnel in international human rights treaty monitoring and reporting (Bahamas);**

76.2 **Seek technical assistance from the Office of the High Commissioner for Human Rights to support the national efforts aimed at implementing the human rights obligations of Antigua and Barbuda (Egypt);**

76.3 **Promote further engagement with international human rights mechanisms, including in seeking technical assistance from the Office of the United Nations Commissioner for Human Rights (Indonesia);**

76.4 **Seek the requisite technical assistance needed in order to meet its international human rights obligations (Sierra Leone);**

76.5 **Seek technical assistance, as appropriate, from the Office of the High Commissioner for Human Rights and other United Nations organizations, with a view to developing capacity for fulfilling various international human rights obligations to which it subscribes (Trinidad and Tobago);**

76.6 **Continue restoring and promoting the human rights of its people, taking into particular consideration the most vulnerable groups, as it has been doing it from its last review (Nicaragua);**

76.7 **Maintain its efforts for the incorporation of the provisions of the Convention on the Rights of the Child in its national legislation and public policies (Ecuador);**

76.8 **Continue to promote and protect rights of children (Pakistan);**

76.9 **Strengthen the national policies on gender to reduce discrimination against women and increase their participation in the political and economic spheres (Chile);**

76.10 **Strengthen the efforts to promote the full participation of women in all aspects, eliminate discrimination against women, and ensure access to justice for victims of domestic violence and sexual harassment (Malaysia);**

** The conclusions and recommendations have not been edited.

76.11 Continue its actions to promote gender equality and the full participation of women in the political, economic and social life of the country (Cuba);

76.12 Continue to promote women's empowerment (Pakistan);

76.13 Continue the efforts to ensure that national legislation prohibits discrimination on the grounds of disability, sexual orientation, gender identity and social status (Mexico);

76.14 Take measures to reduce overcrowding in prisons (China);

76.15 Introduce alternatives to imprisonment for minor offences, with a view to reducing overcrowding and improving the situation of prisoners in general (Portugal);

76.16 Effectively apply the law on intra-family violence to combat domestic violence and promote gender equality (China);

76.17 Strengthen the measures to combat domestic violence, in particular the effective implementation of the existing legal framework, data collection and training of State officers responsible for receiving complaints (Colombia);

76.18 Strengthen its policies to fight violence, especially gender-based violence and sexual violence (Spain);

76.19 Continue its efforts in fighting all forms of violence against women (Portugal);

76.20 Take all necessary measures to effectively strengthen the combat against domestic violence and sexual violence against women (France);

76.21 Take steps to ensure implementation of the Domestic Violence Act and the Sexual Offences Act (Maldives);

76.22 Prevent, punish and eradicate all forms of violence against women, including marital rape (Panama);

76.23 Review its domestic legislation in order to criminalize sexual abuse within marriage (Honduras);

76.24 Implement recent legislation on the rights of the child and strengthen efforts to prevent and combat all forms of discrimination and violence against children and other vulnerable groups, including through awareness-raising campaigns, dedicated training of law-enforcement personnel and adequate support to victims of violence (Italy);

76.25 Develop a strategy and public policies against child neglect and abuse (Panama);

76.26 Strengthen measures to assist victims of human trafficking, taking into account their fundamental rights and the needs of particularly vulnerable groups such as women domestic workers and sex workers (Colombia);

76.27 Ensure effective implementation of the legislation against trafficking of human beings and enhance support to the victims of trafficking, especially women and children (Italy);

76.28 Continue to implement laws, policies and programmes targeted at combating trafficking in persons, prosecute the identified perpetrators and provide rehabilitation for victims of trafficking in persons (Malaysia);

76.29 **Establish a formal procedure to identify victims of trafficking, search for alternatives to the detention of the victims, and transfer them to the necessary services, including, when pertinent, the asylum procedure (Mexico);**

76.30 **Continue strengthening its successful social policies in favour of the most vulnerable sectors of its people, with the assistance and cooperation of the international community required by the country (Bolivarian Republic of Venezuela);**

76.31 **Continue implementing measures for the reduction and alleviation of poverty (Cuba);**

76.32 **Make a concerted effort to increase the number of households with access to piped water, sanitation and electricity, with appropriate assistance from bilateral, regional and international partners (Jamaica);**

76.33 **Continue its efforts towards universal access to education, including the provision of free schooling at all levels (South Africa);**

76.34 **Work toward enacting legislation to incorporate the Convention on the Rights of Persons with Disabilities in its national law (Bahamas);**

76.35 **Take steps to develop the necessary laws, policies and programmes to progressively meet its obligations under the Convention on the Rights of Persons with Disabilities, including by ensuring access to all public facilities (Canada);**

76.36 **Formulate and implement a public policy for persons with disabilities with a view to protecting them from violence and discrimination and to facilitating their social integration (Colombia);**

76.37 **Encourage and strengthen work regarding special education of persons with disabilities (Maldives).**

77. **The recommendations below did not enjoy the support of Antigua and Barbuda and would thus be noted:**

77.1 **Consider acceding to all United Nations human rights instruments (Egypt);**

77.2 **Accede to all core United Nations human rights instruments as soon as possible, particularly those it agreed to enact during its 2011 universal periodic review appearance (Australia);**

77.3 **Continue the efforts to ratify international human rights treaties and instruments to which Antigua and Barbuda is not yet a party (Morocco);**

77.4 **Continue acceding to the main international human rights instruments to which it is not yet a party, particularly to the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);**

77.5 **Consider acceding to all core United Nations human rights instruments, including the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);**

77.6 **Ratify the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; and**

the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Guatemala);

77.7 **Become a State party to the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169); and the Convention against Discrimination in Education (Honduras);**

77.8 **Move forward with the ratification of the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, including the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Chile);**

77.9 **Consider ratification of the International Covenant on Economic, Social and Cultural Rights; and the International Covenant on Civil and Political Rights and its optional Protocols (Namibia);**

77.10 **Sign and ratify the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; and the International Convention for the Protection of All Persons from Enforced Disappearance (Spain);**

77.11 **Ratify the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; and the 1961 Convention on the Reduction of Statelessness (Panama);**

77.12 **Ratify the International Covenant on Civil and Political Rights as well as the International Covenant on Economic, Social and Cultural Rights (Costa Rica);**

77.13 **Ratify the International Covenant on Civil and Political Rights (France) (Ghana) (Italy) (Montenegro) (Sierra Leone);**

77.14 **Ratify the International Covenant on Economic, Social and Cultural Rights (France) (Ghana) (Italy) (Sierra Leone);**

77.15 **Ratify the Optional Protocol to the Convention against Torture (Costa Rica) (Denmark) (Uruguay);**

77.16 **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Sierra Leone) (Uruguay);**

77.17 **Consider acceding to the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ecuador);**

77.18 **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ghana) (Sierra Leone);**

77.19 **Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (Uruguay);**

77.20 **Ratify the ILO fundamental conventions on labour rights and social security and the UNESCO ones relating to corporal punishment (Paraguay);**

77.21 **Ratify the American Convention on Human Rights and accept the jurisdiction of the Inter-American Court of Human Rights (Brazil);**

77.22 **Establish a National Human Rights Institution in accordance with the Paris Principles, as per the recommendations from its last universal periodic review appearance (Australia);**

77.23 **Establish a national human rights institution in accordance with the Paris Principles (Egypt) (Namibia);**

77.24 **Strengthen its national human rights institution in accordance with the Paris Principles (Honduras);**

77.25 **Continue the efforts to promote human rights, with the strengthening of the national legislative framework on human rights (Morocco);**

77.26 **Implement a national system that will enable the Government to have a better and more fluid relationship with the United Nations human rights bodies, including invitations to the relevant special procedures (Paraguay);**

77.27 **Encourage the legislative measures and policies necessary to ensure the protection and promotion of the rights of boys and girls, in following up the recommendations received during the previous review cycle (Mexico);**

77.28 **Submit all overdue reports to the relevant human rights treaty bodies and issue standing invitations to all special procedures (Ghana);**

77.29 **Submit its overdue reports to the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the Committee against Torture (Sierra Leone);**

77.30 **Extend a standing invitation to all the special procedures of the Human Rights Council (Uruguay);**

77.31 **Undertake a comprehensive review of its domestic legislation to bring it into line with the international conventions to which it is a party, in order to eradicate any form of discrimination (Honduras);**

77.32 **Adopt and implement a National Gender Policy, in consultation with all interested stakeholders, prior to its next Universal Periodic Review (Canada);**

77.33 **Implement legislative measures to increase the percentage of women in decision-making and popular election positions (Costa Rica);**

77.34 **Raise at the national level the institutions responsible for the design and implementation of gender policies (Paraguay);**

77.35 **Continue efforts at protecting all members of society from discrimination, harassment and violence, regardless of their sexual orientation (South Africa);**

77.36 **Adopt the additional necessary measures to ensure the full enjoyment of human rights by the vulnerable groups which are subjected to discrimination, such as lesbian, gay, bisexual, transgender and intersex persons, including the investigation and punishment of cases of discrimination, as well as the abrogation of norms that criminalize and stigmatize (Argentina);**

77.37 **Enact legislation prohibiting discrimination against lesbian, gay, bisexual, transgender and intersex persons, including removing laws criminalizing same-sex activity (Australia);**

77.38 **Carry out awareness and education campaigns in favour of non-discrimination based on sexual orientation (Spain);**

77.39 **Eliminate the provisions that criminalize same-sex sexual relations between adults (Chile);**

77.40 **Put an end to the legal discrimination against lesbian, gay, bisexual, transgender and intersex persons and to the criminalization of homosexuality (France);**

77.41 **Abolish all provisions that criminalize consensual same-sex relationships and adopt a national policy to promote tolerance and address discrimination and violence against lesbian, gay, bisexual, transgender and intersex persons (Germany);**

77.42 **Repeal articles 12 and 15 of the Sexual Offences Act of 1995 that criminalize sexual relations between consenting individuals of the same sex, which are contradictory to the commitment of non-discrimination (Netherlands);**

77.43 **Decriminalize relations between persons of the same sex (Honduras);**

77.44 **Decriminalize sexual relations between consenting adults of the same sex (Slovenia);**

77.45 **Decriminalize consenting homosexual relations between adults (Spain);**

77.46 **Reform the penal code to decriminalize private, same-sex sexual activity between consenting adults (United States of America);**

77.47 **Take concrete measures with a view to decriminalizing consensual same-sex relations and abolishing any discriminatory legislation against lesbian, gay, bisexual, transgender and intersex persons, even if such laws are not applied in practice (Brazil);**

77.48 **Establish a formal moratorium on the death penalty with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);**

77.49 **Establish a formal moratorium on the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, with a view to abolishing capital punishment both in practice and in law (Portugal);**

77.50 **Establish an official moratorium on executions and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, so as to bring national legislation into conformity with the de facto moratorium (Netherlands);**

77.51 **Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty (France);**

77.52 **Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);**

77.53 **Consider establishing an official moratorium on executions with a view to abolishing the death penalty as called for by United Nations General Assembly resolution 69/186 (Germany);**

77.54 **Consider taking all necessary steps to establish a de jure moratorium on executions with a view to fully abolishing the death penalty (Italy);**

77.55 **Establish an official moratorium on the death penalty, with a view to its full abolition (Slovenia);**

77.56 **Abolish the death penalty (Honduras);**

77.57 **Abolish the death penalty and commute to prison terms the death sentences already pronounced (Panama);**

77.58 **Abolish the death penalty and in the interim rigorously apply international standards for fair trial in all death penalty cases and respect national legal procedures and the standards required by the Privy Council and the United Nations for the protection of the rights of prisoners sentenced to death (United Kingdom of Great Britain and Northern Ireland);**

77.59 **Consider taking steps towards the abolition of the death penalty (South Africa);**

77.60 **Carry out awareness-raising campaigns in relation to the lack of deterrent effects in the application of capital punishment and establish a de jure moratorium aiming at the total abolition of the death penalty (Spain);**

77.61 **Improve conditions of detention and reduce the duration of detention with faster legal proceedings and investing into infrastructure to address prison overcrowding (Germany);**

77.62 **Increase the resources aimed at improving the conditions of prisons, especially in relation to health conditions and the separation of prisoners according to the type of crime committed and level of risk (Spain);**

77.63 **Take effective measures to ensure that conditions of detention at Her Majesty's Prison are in conformity with United Nations Standard Minimum Rules for the Treatment of Prisoners, including by reducing overcrowding (Canada);**

77.64 **Establish a national coordination system to solve the problem of violence against women (Guatemala);**

77.65 **Consider amending the Sexual Offences Act to include marital rape in all circumstances (Portugal);**

77.66 **Criminalize marital rape (Slovenia);**

77.67 **Pass legislation explicitly defining and prohibiting sexual harassment in the public and private sectors, with protections against retaliation for those who report (United States of America);**

77.68 **Strengthen the national legal framework to protect children from all forms of violence (Algeria);**

77.69 **Prohibit and criminalize the corporal punishment of children (Honduras);**

77.70 **Prohibit corporal punishment of children in all settings, as previously recommended (Slovenia);**

77.71 **Conduct a thorough review of criminal justice procedures in order to identify measures to reduce the length of detention without trial (United Kingdom of Great Britain and Northern Ireland);**

77.72 **Raise the age of criminal responsibility as proposed in the model Child Justice Bill of the OECS from 2007 (Germany);**

77.73 **Build enough housing facilities so offenders under the age of 18 are housed separately from the general prison population (United States of America);**

77.74 **Allocate more resources to develop health-care services, health-care infrastructure and health education, in order to improve maternal health (Algeria);**

77.75 **Dedicate more resources to advance health-care services (Maldives);**

77.76 **Allow abortion, especially in cases where the pregnancy involves a risk to the life or health of the pregnant woman, or is the result of rape or incest (Slovenia);**

77.77 **Ensure comprehensive sexuality education with a view to preventing teen pregnancies and the spread of sexually transmitted infections, in particular HIV (Slovenia);**

77.78 **Establish measures and policies to encourage greater participation of girls in the higher education systems (Sierra Leone).**

78. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Antigua and Barbuda was headed by Parliament Secretary within the Ministry of Legal Affairs and Public Safety, Senator Maureen Payne.